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LIBERTY OF ROME.  
A HISTORY.  
WITH AN HISTORICAL VOYAGE  
TO THE CITY OF ROME.  
BY NATHANIEL HAYES.  
THE  
LIBERTY OF ROME.  
LIBERTY OF ROME.

VOL. II.

Liberty  
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THE  
**LIBERTY OF ROME:**

A HISTORY.

WITH AN HISTORICAL ACCOUNT

OF THE  
LIBERTY OF ANCIENT NATIONS.

**BY SAMUEL ELIOT.**

“Romanæ spatium est urbis et orbis idem.”—OVID.

“The history of the world is one of God’s own great poems.”—HARE.

IN TWO VOLUMES.

VOL. II.



LONDON:

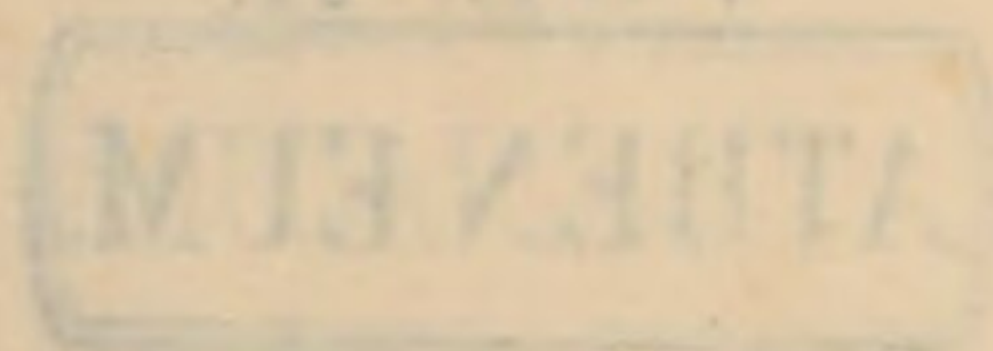
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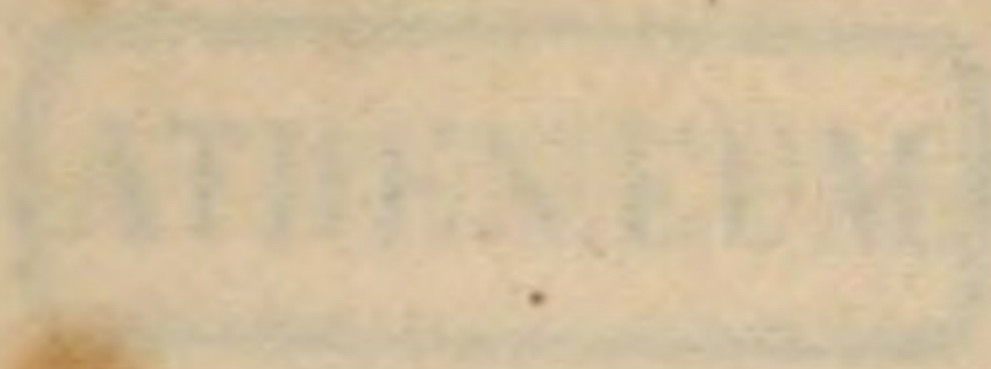
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# THE LIBERTY OF ROME.

## BOOK II.

THE

# LIBERTY OF ROME.

## CHAPTER III.

## BOOK II.

### PERIOD OF INCREASE.

A. C. 499—137.

(CONTINUED.)



WESTERN

1875  
1876  
1877  
1878  
1879  
1880

THE  
LIBERTY OF ROME.

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BOOK II.

PERIOD OF INCREASE.

A. C. 490—137.

(continued)





# THE LIBERTY OF ROME.

## BOOK II.

(CONTINUED.)

### CHAPTER VIII.

#### DEVELOPMENT OF STRENGTH AND CHARACTER.

"The comparison is never to be made with an ideal standard, or even with one which a purer religion and a more liberal organisation of society may have rendered effectual."—HALLAM, *Middle Ages*, *Suppl. Notes*, 220.

THE young philosopher, questioned respecting his new acquirements at the school from which he had just returned, answered, that, if he had made any, they would soon shew themselves.<sup>1</sup> According to the same rule, we may believe, that if the liberty communicated by the Licinian laws to the Plebeians be of any real superiority over that which the Patricians had previously engrossed, it will soon appear in the period subsequent to its extension.

The story of the Manlii, father and son, will serve to introduce and partially to illustrate the present

<sup>1</sup> The story is told of a pupil of Zeno in Ælian, *Var. Historia*, ix. 33.



portion of our history. It opens two or three years after the election of the Tribune Sextius to the consulship, when a cruel pestilence arrived to increase the troubles not yet put to rest. In consequence of its ravages, Lucius Manlius Capitolinus was solemnly appointed Dictator, to fulfil the religious ceremony<sup>1</sup> in which, it was believed, lay the only hope of checking their fearful progress. The remedy proved nearly as bad as the disease; and the name of Imperiosus, the Imperious, which Manlius bore or then acquired, was well deserved by his arbitrary attempts to retain and enforce his authority beyond the occasion for which it had been conferred. His violence went so far as to furnish the grounds of a prosecution instituted the next year by Marcus Pomponius, a Tribune, who, in the course of his suit, insisted not only upon the public misconduct of the Dictator, but more particularly upon the cruelty of which Manlius was guilty, in private, towards his own son Titus, whom he kept removed from the opportunities and honours proper to his rank and age. The younger Manlius, then in the country, no sooner heard of the accusation brought against his father, than he hastened to Rome, and,

<sup>1</sup> Which was nothing more than driving the Yearly Nail, usually driven by some other magistrate or priest, into the wall of the temple of Jupiter. Liv., vii. 3.

A festival, at which stage-plays, *ludi scenici*, were for the first time introduced, was a part of the means employed to appease the gods. Liv., vii. 2.

Livy (vii. 6) also assigns the legend of Marcus Curtius to the same period of the plague. His plunge into the yawning gulf, for the sake of Rome, was but an imaginary instance of the actual and active patriotism of his countrymen. Val. Max., v. 6. 2. Plin., Nat. Hist., xv. 20.



obtaining access to Pomponius, extorted from him, under threat of instant death, the promise of dropping the charges he had made. It was not behaving, as the historian declares, much like a peaceable citizen,<sup>1</sup> but the action of the young man was so commendable for its filial piety in the eyes of the people, that the father was acquitted, and the son advanced to a post of distinction in the army. In after years, when Titus Manlius had become a great general, and the father of a grown-up son, from whom he seemed to exact the penalty of his own early trials,<sup>2</sup> he was invested, as Consul, with the command of an army against the Latins, then in arms. On approaching the enemy, the Consul prohibited his men from personal encounters or endeavours to distinguish themselves, before the action, momentarily expected, should be commenced. His son, however, was tempted by a challenge from a foe, to disobedience; and though he triumphed, he was delivered, by his father's commands, to the executioner.<sup>3</sup> The elder men in Rome commended the ferocious deed; but whether it were called, as by them, a triumph of law, or, as by the companions of the murdered youth, an outrage upon humanity,<sup>4</sup> it equally appears to have been one of those examples which compel all bonds of affection and of obedience to be torn to shreds at last.

Nothing remains, at this epoch, more serviceable

<sup>1</sup> "Non civilis exempli ..... consilium." Liv., vii. 5.

<sup>2</sup> "Perindulgens in patrem, idem acerbe severus in filium." Cic., De Off., iii. 31. This was twenty-

one years after his deliverance of his father.

<sup>3</sup> Liv., viii. 7. App., Reb. Samnit., iii.

<sup>4</sup> Liv., viii. 12.



to the conceptions we have to form respecting the liberty of Rome, than the constant recurrence of complaints about debts and pecuniary difficulties. It must have been a narrow and a troubled life that men were leading, where the want of a little money was always quickly felt, and often ultimately fatal ; nor could the possession of any freedom be sufficient to domestic happiness or general prosperity, so long as it was liable to be endangered and actually lost by poverty. The humility of the city becomes more apparent as we reflect upon the straitened means of its people ; and whether we cross the private threshold or seek the open thoroughfare, the eye meets no magnificence, except, perhaps, in the temple or on the Capitoline, and nowhere sees the signs of any real or comprehensive civilisation. This glimpse is imaginary ; but it is obtained through the casements which history opens in recording, at one time, a bill to secure the operation of the law concerning interest,<sup>1</sup>—at another, the appointment of bankers, or commissioners of insolvency, to bring about the settlement of all outstanding obligations,<sup>2</sup>—and again, within a few years, the reduction of interest, and the division of debts into such portions as would facilitate their payment at maturity.<sup>3</sup> Instead of the debtors being left to the mercy of their creditors, they seem to have been actually protected by interferences of the magistrates in their behalf ;<sup>4</sup> which, taken together with

<sup>1</sup> Liv., vii. 16.

<sup>2</sup> The commissioners were five in number, and were called *Mensarii*. Liv., vii. 21.

<sup>3</sup> Liv., vii. 27.

<sup>4</sup> As we gather from a single mention made by Livy (vii. 28) of prosecutions against usurers conducted by the *Ædiles*.



the enactments just recounted, shews forth a very different spirit amongst the rich as amongst the poor, after the passage of the Licinian laws, from that which had previously considered the debtor to be unworthy of any positive consideration, much more of any positive assistance. At the same time, the greater willingness to make the laws serve the debtor as well as the creditor is only further proof of the fact already indicated, that the Commonwealth was really full of needy citizens.

The difficulties between the poor and the rich were often undoubtedly aggravated by the altercations of the Patricians and the Plebeians. Even while Lucius Sextius was in office, the party over whom he seemed to have decisively triumphed succeeded in hindering the course of all those public affairs from the administration of which he might derive the opportunity of renown.<sup>1</sup> His successor, Genucius, being elected a second time to the consulship, and then defeated and slain in battle, was declared by the Patricians to have fallen by the wrath of the gods<sup>2</sup> who were indignant at the elevation of such men to be their ministers and the rulers of their people. The consular elections, continually interrupted, became, in the course of a few years, such scenes of disturbance as to make all parties glad of a law which was introduced apparently under colour of preserving order and honesty in the elective assemblies,

<sup>1</sup> "Quum de industria omnia, ne quid per plebeium consulem ageretur, proferrentur, silentium

omnium rerum ac justitio simile otium fuit." Liv., vii. 1.

<sup>2</sup> Liv., vii. 6.



but which really contained some provisions adverse to the interests of the Plebeian candidates.<sup>1</sup> At nearly the same time that Licinius Stolo was condemned by one of his own laws, another was violated by the choice of two Patricians as Consuls, in the midst of anger on the part of the Plebeians, and proportionate scorn from the higher estate, which seemed again on the point of obtaining the upper hand.<sup>2</sup>

Nor was it only by such means as these that resistance appears to have been made to the political liberty of the Plebeians. One Consul, Cneius Manlius Capitolinus, persuaded or forced the army he commanded to pass a law which he proposed to them, as if legally assembled for that purpose; and though his professed design was only to lay a public tax on liberated slaves,<sup>3</sup> it was too evidently suggested by the envy he bore to Marcius Rutilus, his Plebeian colleague, who, more successful than himself in the year's campaign, had gained great spoils and numbers of captives, whose ransoms, whether taxed or untaxed, would be the most valuable part of his and his soldiers' booty. The Senate<sup>4</sup> confirmed the strange proceeding, probably because it suited the policy which the majority of that body were then inclined to pursue with regard to the Plebeians and their magistrates;

<sup>1</sup> This is a conjectural account of the law called the Poetelian, which is described by Livy as directed against the practice of canvassing for an election, in order, as the historian says, to lessen the chances of the Plebeian candidates. Liv., vii. 15.

<sup>2</sup> Liv., vii. 18.

<sup>3</sup> "De vicesima eorum qui mitterentur." Liv., vii. 16.

<sup>4</sup> Or the Curies, or both. "Patres auctores fuerunt." Liv., vii. 16.



it seeming, doubtless, a very clever expedient that Manlius had adopted in employing the votes of the soldiers who had sworn him obedience to mortify his colleague. But the Tribunes of the Plebeians comprehended what had passed. Perfectly willing, they declared, to have the tax laid upon emancipated captives or slaves, as the law proposed, they were altogether opposed to the manner and the motive of its imposition, and brought a bill themselves before the Tribes, forbidding a magistrate or any person, under pain of death, to hold an assembly of the people, except in the places appointed for their meetings from times of old.<sup>1</sup> The season was distinctly passed when the Patricians could have their way.

The increasing vigour of the Plebeians will be most evident in the career of such a one amongst them as Caius Marcius Rutilus, the victorious colleague of Cneius Manlius, who now stands forth to prove how well the law of Licinius Stolo was doing its work in Rome. In the next year after his consulship, Rutilus, first of his order, was named to the dictatorship, which it had been proposed to fill in consequence of the advance of a numerous enemy from Etruria.<sup>2</sup> But when the nomination of a Plebeian was communicated to the Senate, it was determined by that body to hinder the Dictator from taking the field; nor would he, indeed, have been able to move in defence

<sup>1</sup> "Tribuni plebis,.....ne quis postea populum sevocaret, capite sanxerunt." Liv., vii. 16.

<sup>2</sup> A. C. 355. Liv., vii. 17.



of the city, without the energetic support of the people, who voted him the supplies and preparations he required. On his return victorious, the Senate denied him the right to triumph ; but again the people<sup>1</sup> took his part, and enabled him to celebrate his successes as they deserved. Even though the opposition of the Senate had thus been twice overcome, the Patricians were able to prevent the Dictator or the Plebeian Consul from holding the elections for the succeeding year ; and it was then, after an interregnum of some duration, that both the Consuls were again chosen, as has been stated, from the Patricians. After three years of depression, the popular cause was resuscitated by the election of Marcius Rutilus to the consulship, from which the Patricians had been able to exclude the other candidates of the Plebeians. Rutilus and his colleague exerted themselves at once in relief of the debts which weighed upon the lower estate, in the manner that has been described ; and the appointment of the public bankers or commissioners, as we have called them, succeeded. In consequence of their intervention, which proved of great temporary service, the affairs of very many individuals were so much changed as to require a new Census ;<sup>2</sup> and at the censorial election, in the early part of the following year, Rutilus presented himself as a candidate for the office, expressly created, as will be remembered, that its powers might be

<sup>1</sup> Whether in the Centuries or the Tribes does not appear, either in this or the preceding instance.

Livy (vii. 17) says simply, "Populus jussit," and "Populi jussu."

<sup>2</sup> Liv., vii. 22.



preserved intact by any Plebeian. The issue of such an election would decide the question of the prætorship as well as of the censorship, which had both been framed out of the consulship, the latter when that office had been claimed, and the former when it had been won, by the Plebeians. Accordingly, the appearance of Rutilus in the assembly was the signal for a general uproar. The Consuls, both Patricians, and backed by the great majority of their order, refused to admit a Plebeian as a competitor at the election ; but, on the other hand, the man who had been disciplined by a public life of exertion against the prohibitions of the superior estate would not now succumb, especially as he was sustained by the Tribunes and nearly the whole body of the Plebeians. Rutilus was elected Censor,<sup>1</sup> and afterwards raised to other honours, by the support of his order, which mounted with him, or he would not himself have climbed so high. It would be worth while to make out a list of names, to prove, were it not instinctively evident, how the hopes and gains of such a life as we have sketched belong to a multitude, though to many in less degree, rather than to a single individual.

Yet both the gain and the ascent were far from being unimpeded. Opening the old history at any page within or bordering upon the present period, the reader finds himself in the midst of disorderly elections and hostile intrigues, from which the only escape, with rare exceptions heretofore brought for-

<sup>1</sup> Liv., vii. 22.



ward, is with the army which goes forth to battles and scenes of even greater violence. A broken narrative occurs about the present time, in illustration of the prevailing disturbances and afflictions. It relates that a threatened mutiny amongst some legions quartered in Campania was prevented by the watchful activity of Marcius Rutilus, then in his fourth consulship;<sup>1</sup> but that one cohort, insensible to his persuasions, contrived to escape his vigilance and march towards Rome. Some of these men were in pursuit of blood or rapine; but the larger number was perhaps composed, as has been reported, of paupers and bondmen who were weary of the privation they had endured or maddened by the prospect of the sufferings before them. At first encamping upon the Alban hill, and seizing a certain Quinctius, of Patrician birth and some early distinction, whom they forced to become their leader, the mutineers pressed on, until arrived within eight miles of the city. There, meanwhile, the tidings of the strange invasion had produced the greatest excitement amongst those whose circumstances or passion inclined them to side with the insurgent soldiers; and, as far as the relation, just confessed to be a broken one can be repaired, it appears, that many in Rome took arms and chose a leader for themselves.<sup>2</sup> At all events, the most strenuous measures were adopted to crush the insurrection; one of the most famous

<sup>1</sup> Liv., vii. 28, 38. This was either A. C. 341 or (for dates are still uncertain) 339.

<sup>2</sup> Liv., vii. 42. See Arnold's History, vol. ii. pp. 120, 121.



citizens, Valerius Corvus, was appointed Dictator, and despatched with an army against the mutineers, who, leagued through misery, as well as blindness of heart, were likely to be resolved upon desperate combat and terrible victory.

But when the soldiers on either side beheld one another's faces, and heard the voices of friends amongst those they had been prepared to slaughter as enemies, there rose a universal outcry that they could not turn their arms against their countrymen. The stout-hearted men under the Dictator's command were willing that their mistaken comrades should be forgiven; and most of the insurgents, who had been driven to mutiny by affliction rather than by ferocity, were earnest to obtain relief, and even, perhaps, to sue for forgiveness, without writing their petition or their demand in blood. The feeling of the men was shared by the leaders, and whether it were Valerius Corvus, or Quinctius, or Rutilus, who pleaded the cause of humanity, it was to the honour of the whole Commonwealth that it prevailed. The Senate was persuaded to grant an amnesty and a universal abolition of debts, besides other concessions, which were all accepted with joy by those who had preferred "groans and tears"<sup>1</sup> to blows upon that unstained battle-field.<sup>2</sup>

A tribune of the good old name of Genucius was inspired to attempt the completion of the reconcilia-

<sup>1</sup> Ὀδυρμοὶ καὶ δάκρυα. Appian.,  
Reb. Samnit., Exc. 1. 2.

the insurrection is commonly ascribed to Valerius Corvus. Appian.,  
*ut supra.* De Vir. Illust., cap.

<sup>2</sup> The glory of having terminated

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tion between the different classes of his fellow-citizens. At this motion, a bill was passed to prohibit usury; and the other laws mentioned immediately afterwards as having been adopted by the Tribes were also, probably, of his proposal. One of these forbade the election of any person to two magistracies at once; another interdicted re-election to the same office within ten years; and still a third declared it lawful for both consuls to be taken from the Plebeians.<sup>1</sup> These latter enactments were to assist the ambitious members of the lower estate who had not yet been able to obtain the honours which were nominally within their grasp; while the former law, concerning usury, was intended to relieve the poor, who were desirous of security rather than of authority in the Commonwealth. It seems as if all classes of the Plebeians, below whom none were counted citizens, must have been satisfied.

We can now proceed no farther without some clew to the warfare in which the Romans were engaged during the years subsequent to the passage of the Licinian laws. There was no such thing as peace on any side. The Etruscans and the Gauls kept up the din of battle in the north; and on the south, there were not only the old enemies to meet repeatedly, but the circle of hostilities was so enlarged as to comprehend Latium, Campania, and even Samnium. The first war with the Samnites lasted two years;<sup>2</sup> but it was only the precursor to other contests with the same

<sup>1</sup> Liv., vii. 42.

viii. 2. We may follow Livy's

<sup>2</sup> A. C. 340—338. Liv., vii. 31, chronology from this date forward.



people, of longer duration and severer character.<sup>1</sup> On the contrary, the Latins were subdued in a single war, almost in a single campaign ;<sup>2</sup> and other nations who took up arms, as will be observed hereafter, were overcome apparently with so much ease as to shew how rapidly and vigorously the Romans were gathering strength for conflict. Instead of fighting to defend themselves, or even to attack an enemy, they now went to battle for the sake of conquest. Within ten years after the consulship of Lucius Sextius, two new tribes were formed, in part from the conquered Volscians, and in part, perhaps, from the allied Latins.<sup>3</sup> The following quarter of a century brought two tribes more into Rome ;<sup>4</sup> and still other two, making thirty-one in all, were added a few years subsequently :<sup>5</sup> these last four being apparently composed of neighbouring people, in Latium and Campania. At the same time that the city was thus increasing with present conquests, the future marches of its armies seemed to be prepared, or, at least, foretold. A treaty with Alexander, the adventurer-king of Epirus,<sup>6</sup> and two new leagues with Carthage,<sup>7</sup> belong to the period over which we are passing. It appears as if an impulse to enterprise and energy had been felt in every limb and every nerve ; yet, after all, that these abundant energies could be developed

<sup>1</sup> The second war was in A. C. 323—303. Liv., VIII. 23, ix. 45.

<sup>2</sup> That of the great battle of Vesuvius, A. C. 337. The war actually lasted two years to A. C. 335. Liv. VIII. 3, 6, 9, 13.

<sup>3</sup> A. C. 357. Liv., VII. 12, 15.

<sup>4</sup> A. C. 329. Liv., VIII. 17.

<sup>5</sup> A. C. 316. Liv., IX. 20.

<sup>6</sup> A. C. 329. Liv., VIII. 17.

<sup>7</sup> A. C. 347. Liv., VII. 27. A. C. 305. Liv., IX. 43. Cf. Polyb., III. 24.



only in the narrow way of force, instead of diffusing themselves through the thousand channels of civilisation.

Our object is to study the Roman character, rather than to track the Roman campaigns; yet, in seeking the men through whom we shall best become acquainted with their nation, we are dragged, against our will, into the dust and passion of their battles. There are some brave scenes, at any rate, to be beheld. Publius Decius Mus, a Plebeian, first mentioned as one of the commissioners of insolvency,<sup>1</sup> during the second consulship of Marcius Rutilus, and afterwards described as having, by his skill and energy, saved a whole army from the peril into which it had been brought by the consul in command,<sup>2</sup> was himself elected to the consulship within a year or two later, when the Latin war was at hand, and the high places in the armies of the Commonwealth were known to need the best men who could be chosen to fill them. It was decided between Decius and his colleague, Manlius Torquatus, the same who slew his son for breach of discipline, that he whose cohorts first fell back, in the anticipated battle with the Latin forces, should devote himself to death, in faith that the gods would requite the sacrifice with victory to the survivors. Both the consuls, the Patrician as well as the Plebeian, would have fulfilled the vow with equal courage; and it was the privilege, rather than the misfortune, of the Plebeian to prove his sincerity. In the action ensuing be-

<sup>1</sup> Liv., vii. 21.

<sup>2</sup> Liv. vii. 34 *et seq.*



neath Vesuvius, the troops that served with Decius were the first to yield; and when the gallantry of their leader proved insufficient to keep them firm against the foe, he did not hesitate an instant, but, bidding the Pontiff with the army to dictate the words by which the offering of his life might most decorously be made before the immortals, he repeated them and dashed headlong amongst the enemy, who, terrified by the death he met, as much as the Romans were encouraged, soon fled, routed, and overcome.<sup>1</sup>

It seems, on reviewing the career of Decius without being reminded of factions and quarrels amongst the citizens of Rome, as if their liberty had been, at last, established in some domestic tranquillity. The great hero of the Patricians throughout these times of carnage abroad, Marcus Valerius Corvus, is another instance of the spirit which must have stirred some breasts, at any rate, to avoid the strifes of the Forum as ardently as they longed for the glories of the battle-field. First elected Consul at the age of twenty-three, and again within a twelvemonth from the expiration of his term, Valerius Corvus was two years after chosen a third time to the same office, in which, while his colleague owed his safety to Decius Mus, Valerius was overthrowing the Samnites at Gaurus and Suessula.<sup>2</sup> The good offices which allayed the mutiny of the troops and the bondmen, in the following year, were suggested or supported by the earnestness of Valerius for peace amongst his

<sup>1</sup> Liv., viii. 9, 10.

<sup>2</sup> Ibid., vii. 26-28, 33, 37.



fellow-citizens. With such a man, bravery in warfare, though perhaps the highest, was not, at least, the only renown to be acquired ; nor did regard for his own dignity, as the historian remarks, induce forgetfulness of the liberties or the necessities of other men.<sup>1</sup>

The next name of distinction recalls the parties and the dissensions from which there was scarcely at any time an interval of real repose. Quintus Publilius Philo, a Plebeian, like Decius, and like him, also, introduced in history as one of the commissioners for the liquidation of debts, was elected Consul the year after the death of his former colleague. On account, it was said, of a rebellion amongst the newly conquered Latins, but rather, if appearances are to be trusted, of high-running strife between the extreme and the moderate factions of the rich, both Patricians and Plebeians, the appointment of a Dictator was resolved upon, and entrusted, as of necessity, to the Patrician Consul, Æmilius Mamercinus. He, however, had been at swords' points with the extreme party ever since his entry into office, and having constantly behaved, as the old historian pronounces, more like a seditious Tribune than a true Consul,<sup>2</sup> he now declared his colleague, Publilius, Dictator, with the understanding, apparently, that his opponents were to be humbled.

<sup>1</sup> "Haud minus libertatis alienæ quam suæ dignitatis memor." Liv., vii. 33. Cf. capp. 32, 40.

seditiosis tribunatibus similem deinde consulatum gessit." Liv., viii. 12. This was all in A. C. 336.

<sup>2</sup> "Alienatus ab senatu Æmilius



The Publilian laws were the result of the agreement between their author and his Patrician partisan; but the dubious terms in which they are preserved can be interpreted only by the circumstances of their enactment, which seem to prove the determination of humbling the extreme party of the Patricians. One law declared the decrees of the Tribes to be binding upon all classes; another empowered the Centuries to pass their bills with the previous, perhaps the nominal, approval of the higher assemblies; and a third ordered that one of the Censors should always be elected from the Plebeians.<sup>1</sup> The last law requires no explanation; while the first two are almost completely unintelligible as they stand recorded. It is only through remembering in what spirit they were framed, and on reading the lamentations of the injury they wrought upon the Patricians,<sup>2</sup> or the extreme Patricians, that some great blow appears to have been dealt by the party called moderate, acting through the authority of their Dictator. We may, perhaps, extend our interpretation farther.<sup>3</sup> The Senate was at this time largely,

<sup>1</sup> The whole passage from Livy (VIII. 12) may be transcribed:—

“*Dictatura popularis et orationibus in Patres criminosus fuit, et quod tres leges secundissimas plebei, adversas nobilitati, tulit: unam, ut plebiscita omnes Quirites tenerent; alteram, ut legum, quæ comitiis centuriatis ferrentur, ante initum suffragium, Patres auctores fierent; tertiam, ut alter utique ex plebe, quum eo ventum sit, ut utrumque*

*plebeium consulem fieri liceret, censor crearetur.*”

<sup>2</sup> To continue with Livy's account:—“*Plus eo anno domi acceptum cladis ab consulibus ac dictatore, quam ex victoria eorum bellicisque rebus foris auctum imperium, Patres credebant.*”

<sup>3</sup> Especially with Niebuhr's aid. See the chapter on the Publilian laws in his third volume.



though not predominantly, composed of Plebeians, most of whom, joining the moderate Patricians, would constitute a formidable minority, and sometimes even, as perhaps at present, an actual majority, in that great body. But the Curies were still in the exclusive possession of the Patricians, who, greatly reduced in point of numbers, would, as an estate, be actuated by continual hostility<sup>1</sup> to the measures supported by the Plebeians, and even to those which were acceptable to the moderate men, forming the smaller proportion of their own order. It may have been against the Curies, therefore, that the proceedings of Publilius Philo and his party were directed; and we may, perhaps, read the first law as having deprived the Patrician assembly of its veto upon the bills which passed the Tribes, and the second, as having stripped it of the same right with regard to the laws of the Centuries.

Publilius may be followed farther in his career, as the representative of the party to which he belonged. Two years after the passage of his laws, he was elected the first Plebeian Prætor, in spite of determined opposition on the part of his old antagonists.<sup>2</sup> The next year, another Æmilius Mamercinus, probably the brother of the former Consul, being named Dictator, appointed Publilius Philo to the mastership of the Knights.<sup>3</sup> Four years later, when his energies had been already so often tried, he was chosen Cen-

<sup>1</sup> "And it is often seen," as Lord Bacon wrote, "that a few that are stiff do tire out a great number that are more moderate." *Essays*, LI.

<sup>2</sup> A. C. 334. Liv., VIII. 15.

<sup>3</sup> Liv., VIII. 16.



sor.<sup>1</sup> Mere list of offices as this may be, it proves the continued popularity of the man and the continued superiority of his faction.

True history would be that which, embracing a people rather than individuals in its inquiries, should turn, as in the instance of our own subject, with greater interest to the liberty of the whole nation than it is bound to feel for the fortunate or the illustrious citizens alone. But the necessity of reading the history of Rome through the lives of a few pre-eminent Romans is only consistent with the character of all ancient freedom, in which, as we have previously seen, the wolves were oftener able to make their lair than the sheep to find a fold. One result of warfare will be the still greater precedence of the individual warrior as we continue in our history. Another, perhaps, though this is far less certain, will prove to consist in the corruption of other classes,—of the poor, of the middle ranks, and of the women. The year after the censorship of Publilius Philo is marked by a tradition, that one hundred and seventy matrons were condemned for poisoning great numbers of distinguished men;<sup>2</sup> and the mere tradition throws a lurid shade over some lives, at least, which were led amongst the conquering nation. Such things, however, were rather the shadows of coming events than of the general circumstances in which the Romans of that day actually found themselves.

<sup>1</sup> Liv., viii. 17. It was the year in which the twenty-eighth and twenty-ninth Tribes were en-

rolled, and of course by the Censors.

<sup>2</sup> Liv., viii. 18.



There were other influences, besides, to result from the wars in which the present generation seems to have been more entirely absorbed than almost any one which went before. A share in the great plunder which Valerius Corvus gave his soldiers after the battle of Suessula<sup>1</sup> was enough to make, not only the receiver, but all who coveted his luck, earnest for the campaigns to come. So a portion in the assignments of lands, after the subjugation of Latium and Campania,<sup>2</sup> was at once the satisfaction of the veteran and the excitement of the recruit. The more equitable the distribution of the spoils, whether in land or booty, the more plainly we perceive, on the one hand, the effect of the laws which had raised the condition of the Plebeians, and, on the other, the motive that was furnished to the lower estate to insist upon commencing or prosecuting the campaign they would in old times have endeavoured to elude, or openly refused, as in instances we have witnessed, to undertake at all. The successful issue of the wars in which they thus engaged, with all their strength, resulted from other causes than mere superiority of discipline or arms. But the constitution of the Roman legion, supposed to have been fully introduced, at this period, into the armies of the Commonwealth, was certainly both a consequence and, in a less degree, a cause of personal activity and general independence amongst the soldiers, that is, the citizens of Rome. Each individual became of more or less importance; and even the supernumeraries, before well worthy of their

<sup>1</sup> Liv., vii. 37.

<sup>2</sup> Liv., viii. 11.



name, now had some duties to perform, as when, in the great battle under Vesuvius, they were gathered into a sort of reserve, which bore no inconsiderable part in the decision of the conflict.<sup>1</sup> Incessant and sanguinary campaigns like those against the Latins and Samnites, more alarming enemies than most who armed themselves against Rome in former times, suffered few who were fit for military service to be overlooked, as in the days when the Patricians, at Regillus, assisted by the immortals, were able to scorn the aid of the Plebeians. The swifter movements of the legion, in contradistinction to those of the heavy-armed phalanx, were of sensible influence, one may conjecture, upon the habits of the whole nation, as well as of the soldiery.

If the appointed work of the Roman people, under Providence, was to strengthen itself as we have supposed, in order to accomplish the overthrow of heathen civilisation, we are bound to inquire into the condition of the people whom it conquered, as well in its first, as in its latest wars. Indeed, its earliest methods of profiting by conquests are, in many respects, the most remarkable; for, while through these the Commonwealth increased its citizens, most of its subsequent victories did but bring it subjects.

In the time of our present narrative, the liberty of Rome was spread over a wider country than that immediately around the seven hills, partly through alliances and partly by conquests, as we

<sup>1</sup> Liv., VIII. 10.



have observed. After the wars in Latium and Campania, which brought a larger accession both of territory and population to the Commonwealth than it had ever before so rapidly obtained, it became a more constant and a more important part of the Roman policy to deal with the forfeited possessions and liberties of the conquered. Some of these were recompensed, as if for services rendered during the recent hostilities; being not only received as Roman citizens, like the people of Lanuvium,<sup>1</sup> but, in some instances, made a charge upon their own countrymen, as a privileged class, like the sixteen hundred knights of Capua.<sup>2</sup> It followed, as by contraries, that the foes who had been steadfast in their resistance should be proportionally humbled, plundered, like the people of Antium, of their possessions, or dislodged from their homes, and removed to distant places, like the inhabitants of Velitræ.<sup>3</sup> The ties that were severed amongst these neighbouring enemies, or the rights that were taken from them, might be, and were, in after times restored or compensated; but before the day of recovery dawned, one generation, or several, would have mouldered away. We shall have, however, too many cases, hereafter, of cruelty and despair, to weigh against those which

<sup>1</sup> "Lanuvinis civitas data, sacraque sua reddita cum eo, ut ædes lucusque Sospitæ Junonis communis Lanuvinis municipibus cum populo Romano esset." See the whole section, the 14th of Livy's eighth Book.

<sup>2</sup> "Quia non desciverant,....."

equitibus Campanis civitas data. .... Vectigal quoque iis Campanus populus jussus pendere in singulos quotannis (fuere autem mille et sexcenti) denarios nummos quadringenos quinquagenos." Liv., VIII. 11.

<sup>3</sup> Liv., VIII. 14.



have now arrived ; and, as sacrifice was more consonant than mercy to such an age, we give it no credit it does not deserve in passing to some brighter incidents in its history.

The Volscians, though much reduced by the victories of Valerius Corvus, in his second consulship, were, like nearly all the enemies that environed Rome, hard to be really conquered. Many of their separate states and cities took part in the subsequent Latin war ; and several years after the conquest of Latium, the people of Fundi and Privernum, both Volscian towns, appeared again in arms, but with no better fortune. On the overthrow of their forces, their leader<sup>1</sup> was sentenced to death, and their chief men to transportation beyond the Tiber.<sup>2</sup> But the people, or the popular party as it should perhaps be called, of Privernum, without waiting further sentence upon themselves, sent off an embassy to Rome, where it was introduced by Plautius Decianus, the conqueror of Privernum and one of the Consuls, into the presence of the Senate. The envoys came, of course, to plead for merciful treatment ; but they no sooner appeared, than one of them was pointedly asked what punishment he thought befitting his rebellious fellow-townsmen. "Such," he answered swiftly and truly, "such as they deserve who think themselves worthy of being free." "And if we pardon you," interrupted

<sup>1</sup> Vitruvius Vaccus, who belonged to Fundi, but had a house on the Palatine in Rome. Arnold thinks he aspired after complete citizenship, and took the lead in the rebel-

lion or the war because he was disappointed. Hist. Rome, vol. II. pp. 178, 179.

<sup>2</sup> Liv., VIII. 20.



the Consul Plautius, "what kind of peace shall we have in return?" And again the ambassador replied, with spirit:—"Give us good terms, and they shall be observed; but impose hard ones, and ye cannot expect them to be kept." Plautius spoke out as became a man who had a heart to forbear as well as an arm to conquer, declaring that they who esteemed liberty above all things were fit to be citizens of Rome, and prevailed upon the Senate to dismiss the embassy with assurances of pardon and good-will. The Centuries, being shortly after convened, confirmed the proposal of the Senate, that the rights of citizenship<sup>1</sup> should be granted to Privernum.<sup>2</sup> The other city, Fundi, appears to have been dealt with as wisely.

Five years afterwards, when the Samnite war had involved the allies as well as the citizens of Rome in increased hardships, Privernum was again driven to insurrection, together with the Volscian Velitræ and the Latin Tusculum. There are but confused accounts, however, of an advance of forces, their retreat, and their submission; and it is only through the dust, as it were, of marches and battles, that we catch a glimpse of a more peaceful scene, in which the victors, whether on account of their other dangers, or from real moderation, forgave the vanquished, and even allowed the leader of the insurgents, a citi-

<sup>1</sup> Not meaning in this, or in most instances, that the new citizens were completely naturalised, but that they obtained only the private, or personal and social,

rights of citizenship. The public or political privileges were acquired by actual admission into the Tribes.

<sup>2</sup> A. C. 326. Liv., VIII. 21. Cf. Dion. Hal., Excerpt. XIV. 23.



zen of Tusculum, to be chosen Consul of Rome for the next succeeding year.<sup>1</sup> The claims he had upheld are unknown ; but the people whom he led, though triumphant, were twice conquered by the treatment they received.<sup>2</sup>

Amidst the dismal confusion of campaigns and conflicts, some figures stand forth prominent in the history of the present epoch, illustrating, in one point or another, the spirit which was developed under the institutions and the customs of the Commonwealth. To these we may now direct our attention, before passing on to the successive changes in the liberty of Rome.

The dictatorship of Lucius Papirius Cursor occurred in the year following the outbreak of the second Samnite war.<sup>3</sup> He was one of a class, apparently, who, having grown old in unswerving bravery on the field<sup>4</sup> and in rigid support of the laws amongst their fellow-citizens, would, when advanced in years, naturally claim from younger men the same conduct and the same opinions of which they had themselves set or kept the example. Papirius, on being nominated Dictator, appointed Quintus Fabius Rullianus to the mastership of the Knights ; and the two together, the one as commander, and the other

<sup>1</sup> Liv., viii. 37, where the difficulty of the Tusculans in obtaining pardon is perhaps exaggerated.

<sup>2</sup> The fate of Brutulus Papius, the gallant leader of the Samnites (Liv., viii. 39), and the horrible treatment of the Ausonian towns

(ix. 25) can only be referred to as instances of the contrary policy amongst the Roman conquerors.

<sup>3</sup> A. C. 322. Liv., viii. 29.

<sup>4</sup> Livy (*ut supra*) calls him "longe clarissimum bello ea tempestate."



as lieutenant, hastened to meet the untiring foe in Samnium. Instead, however, of the campaign proceeding smoothly, the auspices under which it had been begun were declared to have been imperfectly observed; of which Papirius was no sooner informed, than he set out to take them over again, at Rome, charging his lieutenant, as he left the camp, on no account to come to an engagement during his absence. Fabius was too young, whether in love of glory or in heat of temper, to lose an opportunity, which soon presented itself, of meeting the enemy under great advantages, and having marched to their encounter, he gained, as is told, a wonderful victory. The news was brought to the Senate in despatches from Fabius, who chose to address them rather than the Dictator, in order, probably, to obtain their support against the anger he was sure to rouse on the part of his commander. The remainder of the narrative is too well known<sup>1</sup> to be repeated in detail. Suffice it to say, that Papirius hurried, full of wrath and determination, to the camp, where he would have put Fabius to death, had not the master fled to Rome, and there, aided by the entreaties of his father and the whole people, prevailed upon the Dictator to pardon the offence he judged so heinous against himself and against the laws. The story reads like that of a struggle between the obstinate and the yielding elements of which the liberty of Rome was formed.

The vengeance which the old Dictator would have

<sup>1</sup> Or, if not, it ought to be read in Livy alone. See VIII. 29—35. Cf. Val. Max., II. 7. 8.



taken on the younger Fabius for his breach of discipline, is not nearly so remarkable an instance of the obstinacy with which the Romans were inspired to uphold their laws, as the one now brought before us in the ancient histories. Papirius would have revenged an injury partly personal, and only, therefore, partly public, upon the offender; but Spurius Postumius sought to repair his own offence, whether it were a misfortune or a fault, by sacrificing himself in behalf of what was esteemed the general advantage. Consul, for the second time, in the fifth year of the same Samnite war,<sup>1</sup> he was surprised and defeated<sup>2</sup> at Caudium, by Caius Pontius, the famous Samnite general, who granted terms that are represented as extremely moderate, and who, retaining some hostages, dismissed the rest of the army unharmed. The conditions of surrender, to which the Consuls and all the superior officers solemnly swore, bound the Romans to a peace they thought, and not unreasonably, disgraceful to their name; and deep was the distress aroused by the feeling that disaster was come upon them where they had looked for what they called a glorious triumph. The Consuls were obliged to resign into other hands the authority which they were thought to have defiled; and the Senate met in gloom to take counsel with their successors, who were none other than Publius Philo and Papirius Cursor.<sup>3</sup> Postumius rose before them, and entreated

<sup>1</sup> A. C. 319. Liv., ix. 1.

<sup>2</sup> Livy mentions no battle; but that there was one appears from Cic., *De Off.*, iii. 30:—"Quum

male pugnatum apud Caudium esset."

<sup>3</sup> Liv., ix. 7. See the account in Appian., *Reb. Samnit.*, iv. 7.



that he and all who had made the recent treaty should be delivered to the enemy, so that their act might be no longer binding upon their countrymen. It was then believed that the loss of honour was not so irreparable as it had appeared. None opposed the offer, save only two officers or magistrates,<sup>1</sup> who were included amongst the number proposed by Postumius to be surrendered; but the suggestion he had made, not in casuistry or injustice, as it looks to us, but in thorough self-devotion, was carried into effect, and the troop of officers, naked and bound, was despatched to the Samnite quarters. Caius Pontius scorned the device, as he styled it, scarce fit to be employed by children,<sup>2</sup> but ordered the prisoners, whose sacrifice he was too noble-minded not to respect, to be set at liberty.<sup>3</sup>

The defeat at Caudium was not the only disaster in a warfare so ceaseless and so harassing as that in which the Romans were on every side engaged. Even Fabius Rullianus, who had been elected Consul since his offence against Papirius, was entirely routed at Lautulæ, where he commanded as Dictator.<sup>4</sup> He was also, however, the hero of many great triumphs; and when the Etruscans were in arms, he, being then Consul for the third time, crossed the Ciminian hills, never before passed by a Roman army, and swept

<sup>1</sup> Tribunes of the Plebeians, according to Liv. ix. 8, and Cic., De Off., iii. 30. See Niebuhr, vol. iii. p. 106.

<sup>2</sup> "Vix pueris dignas ambages." Liv., ix. 11.

<sup>3</sup> Liv., ix. 11. The conclusion of the historian, as to the efficacy of their surrender, is a little hesitating:—"Forsitan et publica, sua certe liberata fide."

<sup>4</sup> A. C. 318. Liv. ix., 23.



the valleys of Etruria.<sup>1</sup> Papirius Cursor won his last victories in the same tempestuous times.<sup>2</sup> Another great name descended from a noble father to a noble son, Publius Decius Mus, Consul, Master of the Knights to Papirius, and Consul again,<sup>3</sup> must be added to the list of heroes by whom the Commonwealth was sustained amidst the shocks to which it was exposed from numerous and earnest enemies. Three years after, the Etruscans, the Marsians, and some of their neighbouring people, even up to Umbria, broke out into hostilities,<sup>4</sup> their example being very shortly followed by the Hernicans,<sup>5</sup> and finally by the Æquians;<sup>6</sup> who all, though not arrayed at once against the Romans, so swelled the host as to threaten the enemy they surrounded with ruin. Their armies, their attacks, and their snares proved equally vain. Some were struck down by a blow, like the Hernicans, losing alike their territory and their independence;<sup>7</sup> others, like the Æquians, whose forty-one towns were taken in fifty days, though overthrown, were not so utterly prostrated.<sup>8</sup> The Etruscans and the other northern people were defeated, but not yet subdued.<sup>9</sup> Samnium submitted

<sup>1</sup> The war broke out in A. C. 310. Liv., ix. 29. The passage of the Ciminian hills, two years later, is described in Liv., ix. 35 *et seq.*

<sup>2</sup> He was nominated by Fabius to his last dictatorship in A. C., 308. Liv. ix., 38. Florus (i. 16) describes the whole Samnite war as waged "per Fabios et Papirios patres eorumque liberos."

<sup>3</sup> Liv., ix. 28, 40, 41.

<sup>4</sup> A. C. 307. Liv., ix. 41.

<sup>5</sup> A. C. 306. Liv., ix. 42.

<sup>6</sup> A. C. 304. Liv., ix. 45.

<sup>7</sup> Liv., ix. 43. It was at this time that Livy's account of the treaty of Spurius Cassius (see vol. i. p. 397) would have been applicable.

<sup>8</sup> Liv., ix. 45.

<sup>9</sup> See Liv., x. 3, 4.



to unequal terms of peace, though by no means to actual dependence, after a war of more than twenty years.<sup>1</sup>

The preceding sketch will, perhaps, explain the concentration of all the interests and all the energies of the Romans in their work of warfare. The liberty which the Plebeians had struggled for near a century and a half to obtain seemed, when won, to be abused by being made the incentive to combat instead of peaceful increase. It was really fulfilling its end. Within the city there were but few events, so far as the historian has recorded them, of any note, and not a single one unconnected with the wars beyond the walls. The debts of the poor or the middle classes at such a period would be enormously increased, notwithstanding the occasional help obtained from lands<sup>2</sup> or spoils; and many men were doubtless ripe for some exertion or sedition in behalf of their necessities, when an accident, as it appeared, led straightway to their relief. A young Plebeian, named Caius Publilius,<sup>3</sup> having given himself up, in his father's place, to a fiendish creditor, from whom he suffered all sorts of cruelty and wrong, escaped one day into the open street, appealing for public protection. The excitement aroused by the spectacle of his misery, and fanned by the universal embarrassment amongst the people, led to the abolition of

<sup>1</sup> Liv., ix. 45.

from time to time. Liv., ix. 26, 28 *et seq.*

<sup>2</sup> To which colonies were sent

<sup>3</sup> Liv., viii. 28. Cf. Val. Max., vi. 1. 9.



imprisonment for debt, by a law which the Consuls proposed and the Centuries gladly accepted, as if, says Livy, it had been a second beginning of freedom.<sup>1</sup>

There were other dangers resulting from the occupations which the Romans pursued, and the habits which they were fast forming; some that have been previously noticed, and others of which we have not yet had an example. A few years before peace was concluded with the Samnites, Caius Mænius, a Plebeian of old name and considerable personal renown,<sup>2</sup> was named Dictator, with the charge of anticipating a sedition suspected of being planned in Capua. During his investigations here, Mænius is said to have received such information of plots existing amongst his own fellow-citizens, in concert, apparently, with the disaffected at Capua, that he transferred his tribunal to Rome, and called before him the Patricians charged with conspiracy or illegal aims. The accusation and the trial, if trial there were, are equally involved in obscurity. The parties accused appear to have retorted upon the Dictator and his supporters<sup>3</sup> by counter accusations, concern-

<sup>1</sup> "Eo anno" (A. C. 323) "*plebi Romanæ velut aliud initium libertatis factum est, quod necti desiderunt.*" This was distinctly a Plebeian gain; the Patricians, as long since remarked, not being liable to imprisonment for debt. The law itself, which took the name of the Consuls Pœtelius and Papirius, is thus described:—"Ne quis, nisi qui noxam meruisset, donec pœnam lueret, in compedibus aut in

nervo teneretur: pecuniæ creditæ bona debitoris, non corpus obnoxium esset. Ita," adds the historian, "*ita nexi soluti; cautumque in posterum, ne necterentur.*" Liv., VIII. 28. See, also, Cic., De Rep., II. 34.

<sup>2</sup> Acquired in his consulship at the conclusion of the Latin war; Liv., VIII. 13. It was now A. C. 312.

<sup>3</sup> If they were such, which is



ing which we are also uninformed. It may be only a conjecture,<sup>1</sup> that the Patricians at first arraigned belonged to the extreme faction, then strong enough to avert sentence from being pronounced against its partisans, and that, if they were really guilty of any unlawful projects in conjunction with the citizens or the lower classes of Capua, the league thus formed was but the result of movements previously begun.

These movements were more plainly proved in the course of the events with which our account of the development of the Roman institutions in the present period may be concluded. There must have existed for some time a tendency between the higher faction of the Patricians and the lower class of the Plebeians to coalesce with one another, for the sake, on both sides, of obtaining greater superiority over the middle or moderate party, whose course had generally been as much opposed to the interest of their inferiors as to the pleasure of their superiors. The divisions among the Plebeians could lead to no other result than the willingness of either party that proved the feeblest to throw itself into the opening arms of its adversaries; the old conflicts between the two estates, each on its own side, having passed away.

The career of Appius Claudius, afterwards known as Appius the Blind, discloses openly the alliance of the richest and the poorest classes. He was elected

uncertain. Publilius Philo was one of the number. Liv., ix. 26.

<sup>1</sup> Though supported by the turn of Livy's narrative. ix. 26.



Censor within two years from the dictatorship of Mænius, and, as was usual, entered, with his colleague, Plautius Decianus,<sup>1</sup> upon the charge of filling the vacancies which had occurred within the Senate since the last nominations to that body by the preceding Censors. The new elections were always made, it appears, from certain lists of citizens who had either borne great offices or possessed high rank; but Appius, determined from the beginning to secure his authority, either for his own sake or for that of his faction, through any support he could command, now named several of the lowest men in Rome as Senators, amongst whom he even admitted some sons of freedmen,<sup>2</sup> who, as such, were scarcely considered to be absolutely free, much less to be worthy of any political advancement.<sup>3</sup> The nomination, backed by a powerful party, out of rather than in the Senate, and vainly, if not feebly, opposed by Plautius Decianus, who resigned his office in disgust at his colleague,<sup>4</sup> was carried, but was set aside in the following year by the Consuls, who could call such Senators as they pleased, and those only, as it seems, to their sessions.<sup>5</sup> Appius, still keeping his place, was soon after assailed by some of the Tribunes, now the representatives, as must be remembered, of the moderate

<sup>1</sup> The same who stood by the conquered people of Privernum.

<sup>2</sup> Diod. Sic., xx. 36. Suet., Claud., 24.

Suetonius, born about A.D. 70, is the biographer of the Cæsars.

<sup>3</sup> "Two free ancestors, just as much as landed property, or at least

an agricultural occupation, and the not carrying on of commerce or a handicraft, formed the conditions by which persons had the right of belonging to the Plebeian order." Niebuhr, Hist., vol. III. p. 140.

<sup>4</sup> Liv., ix. 29.

<sup>5</sup> Ibid., ix. 30.



party, rather than of the Plebeian estate. At this the Censor admitted all the freedmen in Rome to the Tribes, amongst which he distributed them in such a manner as promised him the most effectual support.<sup>1</sup> Appius, however, was not wholly absorbed in mere political intrigues. A large portion of his energy and his ambition was spent upon the Way and the Aqueduct which have borne his name to our day, and which, in his own time, were undertakings so vast as to obtain for him the name of "the Hundred-handed."<sup>2</sup> He was an author, a jurist, a philosopher, and a poet, besides.

It was, probably, after the example rather than at the instigation of Appius, that his scribe rose to distinction. Cneius Flavius, the son of a freedman, one, therefore, of the partisans on whom the Censor and his faction were willing to lavish pretended favour in return for unstinted support, was employed by Appius near his person, in the capacity of private secretary. Appius, who, as already mentioned, was a jurist and an author, appears to have compiled a sort of manual concerning the business-days of the Calendar and the forms of instituting or conducting a suit before the courts;<sup>3</sup> both these subjects being

<sup>1</sup> Liv., ix. 46.

<sup>2</sup> "Hic centemmanus appellatus est." Digest., lib. i. tit. ii. 2, sect. 36.

<sup>3</sup> See Hugo's Hist. Roman Law, sect. CLXXXII. Cicero says that the forms disclosed by Flavius had been most undeniably abused to

the advantage of the learned:—

"Erant in magna potentia qui consulebantur: a quibus etiam dies, tanquam a Chaldæis, petebatur," &c. Pro L. Murena, 11. "Civile jus, repositum in penetralibus, pontificum, evulgavit, fastosque circa forum in albo proposuit, ut, quando lege agi posset, sciretur." Liv.,



kept in profound concealment from the mass of the people, who were therefore obliged, in case of any legal proceeding, to resort first to the Pontiff to learn on what day, and next to the Patrician jurist to inquire in what form, they could lawfully manage their affairs before the judicial tribunals. This manual was very likely given to Flavius to copy; but it could scarcely have been with the knowledge, much less with the desire, of his employer, that it was published. The haughty Patrician, while he had no wish to enlighten even the multitude which supported him, would have been distinctly opposed to any measure in favour of the middle classes, who were attached to his antagonists, and who would be much more benefited than the lower orders by the publication of legal calendars or formularies. But Flavius stood in a position which tempted him, whether he were generous or designing, to divulge the secrets of the manual he had obtained; and it may very well have been from a desire to conciliate the real party of the Plebeians, which ranked above him, as a freedman, that he published his discoveries.<sup>1</sup>

He did not go unrewarded, but was raised to various

ix. 46; where, however, the publication is, as it seems, erroneously ascribed to the year of Flavius's ædileship.

<sup>1</sup> Pomponius, the great jurist, says expressly, — "Postea cum Appius Claudius proposuisset et ad formam redegisset has actiones, Cnæus Flavius, scriba ejus, liber-

tini filius, *subreptum* librum populo tradidit; et adeo gratum fuit id munus populo, ut tribunus plebis fieret, et senator et ædilis curulis: hic liber, qui actiones continet, appellatur *jus civile Flavianum*." Digest., lib. i. tit. ii. 2, sect. 7. Compare, however, Plin., Nat. Hist., xxxiii. 6, and Cicero, Pro Murena, 11.



offices, amongst them to the tribuneship of the Plebeians, and finally to the curule ædileship, in which his disclosures are sometimes represented as having been made.<sup>1</sup> The only direct evidence we have concerning his supporters is, that he was chosen Ædile by the votes of the lower faction, which the historian calls the faction of the Forum;<sup>2</sup> but in opposition to this is the relation, that the Patricians went into mourning<sup>3</sup> at the election of the freedman's son, and one who had made light of their mysteries. The party of the nobility and the populace could not thus be separated without the influence of either fraction against the moderate, or, as it may be called henceforward, the popular party, being neutralised; and it is on this account that we may suppose Flavius to have been seconded by the suffrages of many amongst the Plebeians at large.

The predominance of the popular party is plainly attested in the same year by the censorship of Fabius Rullianus and Decius Mus, the two great generals, who, succeeding to Appius Claudius, removed the freedmen he had enrolled amongst all the Tribes into four Tribes by themselves.<sup>4</sup> There are also the memorials of some action, perhaps amounting, however, to no more than the institution of a festival<sup>5</sup> in favour of the Knights, who, as a class, were greatly increasing

<sup>1</sup> Liv., ix. 46. This was A.C. 303, seven years after the beginning of Appius Claudius's censorship.

<sup>2</sup> "Flavium dixerat ædilem forensis factio." Liv., ix. 46. See Diod. Sic., xx. 36.

<sup>3</sup> Plin., Nat. Hist., xxxiii. 6.

Liv., ix. 46; where see the story of Flavius and the nobiles adolescentes.

<sup>4</sup> These four were called henceforth the City Tribes. Liv., ix. 46.

<sup>5</sup> De Vir. Illust., cap. xxxii. Liv., ix. 46.



in wealth and in importance, at the same time that they were ranked, politically, upon the popular side. In the midst of these changes, Flavius, the Ædile, built a temple to Concord.

But the glimpses we catch of concord amongst the Romans are few indeed, and far between ; nor are the traditions of any inclinations or any liberty, besides those of warrior-citizens, less unfrequent. The statues of Pythagoras as the wisest, and of Alcibiades as the bravest Greek, which were set up in the Forum in obedience to a command from the oracle at Delphi,<sup>1</sup> are images to us of the uncertain knowledge and the wanton energy which were spread amongst the Romans. A picture, painted by Fabius, hence called Pictor,<sup>2</sup> and a poem of Appius Claudius,<sup>3</sup> can scarcely be said to bear any other testimony than that of their names to cultivation of taste or mind. Yet when we look away to Babylon, where Alexander lay dying,<sup>4</sup> it seems as if the only heirs who could succeed him were the people he had not conquered in Rome.

<sup>1</sup> Plin., Nat. Hist., xxxiv. 12.

<sup>2</sup> Plin., Nat. Hist., xxxv. 7. Painting, however, and sculpture likewise, were known long before Fabius's time. As for music, see the story of the pipers. Liv., ix. 30.

<sup>3</sup> Cicero calls it a "carmen Pythagoreum." Tuscul. Quæst., iv. 2.

<sup>4</sup> A. C. 323. The embassy from Rome to Alexander may not have been a mere tradition. See Plin., Nat. Hist., iii. 9.



## CHAPTER IX.

## RELATIONS OF LIBERTY AND RELIGION IN ROME.

“Arrancar la soberanía del cielo y localizarla en la tierra.”—DONOSO  
CORTÉS, *Derecho Político*, Lecc. II.

Two or three years after the last events recorded in the preceding chapter, Quintus and Cneius Ogulnius appear in the tribuneship, as zealous champions of the popular party against the combination of the highest and the lowest classes. Instead, however, of making any wild attack upon their adversaries, the Tribunes seem to have exerted themselves in the wiser view of detaching the populace from its Patri-  
cian leaders, in order to unite the severed forces of the Plebeians upon a common ground. Obtaining little support from the rest of their party, which was at no time minded to join in any hearty action with the common people, the Ogulnii made a new venture, as if to gain the means before they attempted the execution of their end.<sup>1</sup> A bill to increase the num-

<sup>1</sup> The passage in Livy (x. 6) is as follows:—“Certamen injectum inter primores civitatis, patricios plebeiosque, ab tribunis plebis Q. et Cn. Ogulniis. Qui, undique criminandorum Patrum apud plebem occasionibus quæsitis, postquam alia

frustra tentata erant, eam actionem susceperunt, qua non infimam plebem accenderent, sed ipsa capita plebis, consulares triumphalesque plebeios; quorum honoribus nihil, præter sacerdotia, quæ nondum promiscua erant, deesset.”



ber of the Pontiffs by four, and that of the Augurs by five new incumbents, who should then, and, as was probably added, thenceforward, be chosen from the Plebeians, was proposed by the Tribunes. As they had undoubtedly expected, the bill aroused the interest and efforts of all the eminent men amongst their party; and, though some strenuous opposition was made to its passage, it became a law.<sup>1</sup> The highest places of the priesthood, as well as of the civil magistracies, were opened to the Plebeians, whose name will no longer serve us as it has done, so entirely have the old distinctions of their estate from that of the Patricians been obliterated.

The Ogulnii did not follow up the success they had gained, and the alliance between the lower Plebeians and the higher Patricians was rather cemented than loosened by a law professedly devised to the advantage of the upper classes of the Plebeians. We may break off with all the better reason from the course of our history, to trace the connection between the liberty we have hitherto seen established and the religion of whose existence we are reminded by the Ogulnian law. To do this, it will be necessary neither to inquire into the sources of creeds and ceremonies, nor, still less, to repeat the names of deities or festivals, but simply, and much more briefly, to catch, if we may, the general outlines of a system, of which the particular features and the separate members are to be scanned only by eyes that have no tears.



The religion of the early and the middle ages of the Commonwealth was invested with no doubtful or trifling power over the lives of its votaries. Without it, the ardent nature of the Roman would again and again have broken through the moulds in which the character of his nation seemed to be unalterably formed and reformed. It was at once a severe, a searching, and an encroaching faith, that, not content with the seasons or the observances of its own ceremonies, obtruded itself into the midst of the occupations and the thoughts, the households and the public institutions, in which it claimed the first place and the highest authority. The strength it thus exerted, which would have been a holy influence, had the faith itself been true or even mild, was in fact the strength of a universal superstition.<sup>1</sup>

Of this the origin lay, of course, beyond the discovery even of those by whom it was most profoundly or most anxiously obeyed. None distinctly believed that the truth had been fully revealed; for there were none, not even those of greater sensitiveness and deeper earnestness, to whom the truth, as we conceive it, could be an inspiration or a perplexity. But, on the other hand, the traditions of the elder times, upon which thick grafts had been set by sober minds, and budding fancies forced by more

<sup>1</sup> Of which Cicero's description is the best:—"Instat enim et urget et quo te cumque verteris persequitur; sive tu vatem, sive tu omen audieris; sive immolaris, sive avem adspexeris; si Chaldæum, si aruspitem videris; si fulserit, si

tonuerit, si tactum aliquid erit de cœlo; si ostenti simile natum factumve quippiam; quorum necesse est plerumque aliquid eveniat: ut numquam liceat quieta mente consistere." And so on. *De Divin.*, II. 72.



ardent imaginations, were accepted, tended, and carefully conveyed as an inheritance from generation to generation. Yet the character of the theology, using the word in its widest sense, which was thus maintained amongst the Romans, is now, at least, seen to have been too complicated, too bulky, and too coarse to have kept its ground. Its complexity proceeded from the variety of authors<sup>1</sup> and sources from which it, like the kindred system of the Greeks, had been, from century to century, compiled. The volume and the grossness of the Grecian were both surpassed in the Roman religion, which, as is well known, united the wildness, and, in many respects, the ferocity, of the Italian faiths with the sensuality and the ostentation which prevailed in Greece.

Such being the characteristics of a religion, with so much unwieldiness on the one side, and on the other so vast pretension to authority, there could be but one course down which it would be hurried. In truth, the religion of Rome was heathenism in its decline. It never rose, like the systems of Greece and the other nations of antiquity, to a culminating point from which it had to fall, but crept, as it were, on lower ground, and, as it grew feebler, into darker gloom. They who believed in it themselves may

<sup>1</sup> "Tria genera tradita deorum : unum a poetis, alterum a philosophis, tertium a principibus civitatis." S. August., Civit. Dei, iv. 27. "Tria genera theologiæ dicit [Varro] esse, id est rationis quæ de diis explicatur, eorumque unum mythicon appellari, alterum physi-

con, tertium civile. . . . Deinde ait : Mythicon appellant, quo maxime utuntur poetæ ; physicon, quo philosophi ; civile, quo populi." Ibid., vi. 5. See also vi. 7. Compare Plut., De Plac Phil., tom. ix. p. 487, ed. Reiske.



not have thought their sacrifices or their thanksgivings to lack any thing in abundance, or splendour, or solemnity ; but it is apparent, since they passed away, that their religious fervour was apt to shew itself only in extravagant ceremonies, at which the Greek might have sneered as vulgar and unstudied, or else in superstitious precepts, that even the Hindoo could, in many instances, have despised. Rome was to heathenism the beginning of its end.

Like all other systems, however, the Romans struggled, or perhaps more securely resolved, to make itself eternal. Seeming to feel the instability of its own principles, it threw itself upon the political and social principles,<sup>1</sup> that is, the laws and customs of the Commonwealth, of which it was conceived to be the ornament and the safeguard. The fact was otherwise ; and it scarcely requires reflection to perceive that the religion which depended upon the secular institutions of a country<sup>2</sup> was exposed to all the chances and changes of merely human laws.

It followed, naturally, that the points of greatest importance in the religious practices of the Romans were the forms of prayer, or festival, or authority, which could be observed by men's lips or eyes, however little they might be felt within their hearts. Internal strength was supposed to correspond to the marks of external ceremonies, which could be

<sup>1</sup> It is in this view only we can repeat with Herder, as with many another writer, that the religion of the Romans was a civil and military one. *Ideas Philos. Hist.*, book xiv. ch. 11.

<sup>2</sup> "Tatius et Numa," says Montesquieu, "asservirent les dieux à la politique." *Diss. sur la Politique des Romains dans la Religion*.



neither too numerous nor too cumbrous to protect the worship they served rather to conceal than to express. But in proportion, as it now appears, to the publicity and multiplicity of forms were the scantiness and the obscurity of the creed within. When the second war with the Samnites was on the point of breaking out subsequently to many acts of aggression committed by the Romans, an embassy was sent into Samnium, where, after some vain and insincere attempts to prevent hostilities, the herald accompanying the ambassadors lifted his hands towards heaven, and prayed, that, if the Commonwealth of Rome had been faithless to her ancient covenant, the gods would now abandon her to her enemies.<sup>1</sup> It is vain to say that this was a mere form, to which none who heard the herald would attach any overdue consideration. The time of indifference to the immortals, much less of contempt for their sense or their power, had not yet arrived; and the embassy was fulfilling as solemn a ceremony as could be observed by a warlike nation.

There are still many instances to be found of the tenacity with which the show, and what was esteemed the substance, of the Roman religion were at this, and in the earlier period, preserved. About half a century before the tribunate of Licinius Stolo, there occurred a year of great distress. Excessive heat, parching the plains and drying up the streams, was soon attended by disease, which seized at first upon cattle, then upon herdsmen, and shortly spread

<sup>1</sup> Dion. Hal., Excerpt., xv. 14.



throughout the country and the city. In the extremity of suffering and terror to which the poorer classes especially were reduced, they sought for omens, and offered sacrifices of every fashion, new as well as old, strange as well as common, by which they thought the gods might be appeased. But the chief men of the city, as the historian calls the Patricians and the Patrician priests, were angered by the unusual rites observed around them, and straightway charged the *Ædiles* to see that none but the gods of Rome were worshipped, and none but the rites of Rome employed.<sup>1</sup> The cravings after new methods or new objects of adoration in times of prosperity would be much more ineffectual than the frenzy of a stricken people which could be thus decisively subdued.

A more particular and striking case of the determination to uphold the customary observances, even in regard to domestic affairs, is that of Lucius Antonius, whose high birth could not screen him from the consequences of attempting to act with too great independence. He had put away his wife, without calling his relatives to counsel, and making his statement before them, as was required by the civil as well as the canon law ; and was, on that account, expelled from the Senate by the Censors.<sup>2</sup> Yet, to judge from every report we have concerning the authority of the Roman husband, the will of Antonius

<sup>1</sup> "Ne qui, nisi Romani dii, neu quo alio more quam patrio, colerentur." Liv., iv. 30. Compare

Liv., xxv. 1, xxxix. 16, and Cic., De Legg., ii. 8.

<sup>2</sup> Val. Max., ii. 9, sect. 2.



could only have been ratified by the family council, had it been called.

The religion of Rome was principally intrusted to the various priesthoods, of whom sufficient mention has been made. Possessing a limited controul over the every-day duties of the people and obliged to share their authority over the ritual services of public, if not of private life, with many of the civil magistrates, the priests were far from being powerful ; the more so in proportion as their doctrines or their forms were obliged to depend upon the secular institutions of the Commonwealth. Their offices were neither numerous<sup>1</sup> nor hereditary ;<sup>2</sup> nor were they sought with any ambition at all commensurate to the eagerness and the constancy that impelled the Roman to make himself a Tribune or a Consul.

In these considerations, however, we have advanced beyond the actual period of our history ; and it was yet a long while before the priesthood ceased to command the ambition and the service of the most distinguished men in Rome. On looking back again, it is plain that the possession of the sacerdotal offices was one great barrier which the Plebeians were obliged to surmount, before their liberty could be

<sup>1</sup> “ En ajoutant aux collèges supérieurs et secondaires les Flamines, les Saliens, les Vestales, &c., vous trouveriez, dans les derniers siècles de la république, plus de deux cents personnes préposées dans Rome au culte public ; mais sous les rois, il en faut bien

retrancher un tiers.” Daunou, *Études Historiques*, tom. XIII. p. 434.

<sup>2</sup> Two of the same Gens, or Name, were forbidden to hold office in the same college. Dion Cass., xxxix. 17.



actually won.<sup>1</sup> The superiority of the Plebeian priests never equalled that which the Patricians had long retained alone ; and one must recur to the early times to see how the warning of the Augur was dreaded, or the injunction of the Pontiff obeyed. A singular example of the religious respect, as it may be called, which was felt for all eminent citizens,—such, for instance, as filled the priesthoods at this time,—is recorded in the defence of Atilius Calatinus by his father-in-law, the great Fabius Rullianus, during the latter part of the second Samnite war. Calatinus was accused before the Centuries of having betrayed the town of Sora to the enemy ; and so warmly was the charge urged against him, that he was just on the point of being condemned. Fabius, at that moment, rose up in the assembly. “Had I thought Calatinus guilty,” he declared, “I would have taken my daughter from him before now ;” and the expression of the old hero’s feelings, at once so simple and so steadfast, turned the votes of all the Centuries.<sup>2</sup> It was thus that the Patricians had long ruled Rome.

It was thus, also, even when the times of Patrician supremacy were past, that the influence of religion was employed, not to make men better, but to render them more powerful. And as the days of heathenism draw nearer to their close, it will appear how greatly they were hastened by the prevalence of such a

<sup>1</sup> “E vedesi, chi considera bene le istorie romane, quanto serviva la religione a comandare agli eserciti,

a ruinare la plebe,” &c. Machiavelli, Disc. Tit. Liv., lib. 1. cap. 11.

<sup>2</sup> Val. Max., viii. 1, sect. 9.



system as that of Rome, content to rest upon the authority of human laws and the efficacy of human powers. It is the river from which men drink and live, not such as they bend over to see themselves reflected before they die, that flows untainted and perennial.



## CHAPTER X.

## THE POPULAR PARTY.

“ They disdained a cooperation with the lower orders, . . . . and relied too unhesitatingly on their power as a body.”—PRESOTT, *Ferdinand and Isabella*, Introd., sect. 1.

GREATLY as the city in which the scene of our history is laid had increased in the three quarters of a century now passed since its destruction by the Gauls, it was but rudely fashioned, and but partially spread upon its seven hills. The gardens or the fields of the richer citizens still occupied much of the space within the walls, and the great edifices as well as the common dwellings that covered other portions of the upper and the lower ground had not yet assumed the stateliness we are apt to associate with the image of ancient Rome. But though there were few, if any, signs of magnificence, much less of taste, in the aspect of the city, at the time of our narrative, the difference between the private and the public buildings was very remarkable. The temple, with its company of columns, kept the foremost place upon the hill; and the broad square beneath, adorned with monuments and trophies, lay open for the assemblies of the people. Here and there, a glimpse might be caught of some larger dwelling, where the rich man lived, surrounded by retainers and slaves; but



the houses more frequently seen would be the narrow and squalid tenements which blocked up the crooked streets, where the dampness of day and the darkness of night maintained continual gloom. It may be a view, not only of the city, but of the contrast between public and domestic interests, that we can conceive ourselves to have thus obtained.

Turn where we will, indeed, there are testimonies of every kind to the predominance of the Commonwealth above its citizens. The poor man did not cultivate his field for himself, it sometimes seems, so much as for the taxes he was bound to pay into the public treasury. The rich man, at his banquet, entertained his guests with the praises of heroes and distinguished citizens,<sup>1</sup> as if his revelry were incomplete without the display of patriotism or ambition. So the games, the sacrifices, and the triumphs, of public celebration, were never regarded as redounding to the glory, the advantage, or the amusement of their spectators or their performers so much as to the majesty of universal Rome. It was more natural that the services of the magistrate and the general, the soldier and the citizen, should be claimed as due to the Commonwealth from every individual, to whom it was sufficient honour that they should be rendered at his hands.<sup>2</sup> But it was not alone to the

<sup>1</sup> "Utinam extarent illa carmina," exclaimed Cicero, "quæ multis seculis ante suam ætatem in epulis cantitata a singulis convivis de clarorum virorum laudibus, in Originibus scriptum reliquit Cato." Brutus, 19.

<sup>2</sup> As is more lively expressed by one of Metastasio's Romans:—

"La patria è un tutto  
Di cui siam parti. Al cittadino è  
fallo  
Considerar sè stesso



public dominion that the Roman devoted his energies of body and mind, to the neglect of private excellence and domestic peace. He served his party more zealously than he served his country, and sacrificed to its triumph more noble thoughts and more generous deeds than any state could have ever been imagined, even under heathenism, to prohibit as perilous to its general prosperity. It is easy to discern that the condition of a people, thus doubly harassed by public duties, must have been embittered by much suffering and many imperfections amongst its individual members;<sup>1</sup> and it will hence be comparatively simple to comprehend the principles and the circumstances which are now to be described.

The personal relations existing amongst the free-born Romans and between the Patricians and their clients have long since been defined;<sup>2</sup> but in the two centuries between the Patrician revolution and the completion of Plebeian liberty by the Ogulnian laws, other classes have appeared, and so increased, that we can go no farther without some knowledge of their distinctions and their numbers.

The freedmen and their families constituted an in-

Separato da lei. L'utile o il danno  
Ch'ei conoscer dee solo, è ciò che  
giova

Onuoce alla sua patria, a cuidi tutto  
E debitor. Quando i sudori e il  
sangue

Sparge per lei, nulla del proprio ei  
dona,

Rende sol ciò che n'ebbe," &c.

Regolo, Att. II. &c. 1.

<sup>1</sup> "For Romans in Rome's quarrel,

Spared neither land nor gold,

Nor son nor wife, nor limb nor  
life";—

nor in their own quarrels, either,  
might have been added by Mr.  
Macaulay.

<sup>2</sup> See book I. ch. 4.



intermediate class between the free and the slaves by birth. Set at liberty, sometimes by the generosity or the justice of his master, and sometimes by the public authorities, the freedman was then invested with rights which varied according to the time and the method of his emancipation. He still, however, remained in an inferior condition, bound in private to his recent owner and then to his owner's heirs in the relation of client to patron, while, in public, he was excluded from military service, and indeed from any service which was accounted honourable, until the later times, when the fleets were manned,<sup>1</sup> and the legions occasionally filled<sup>2</sup> by his class. The inferiority of the father was visited upon his children; however virtuous or fortunate he might have been, he had no name to leave behind him, and one generation, at least, was to be passed before his descendants could lift their heads and take the places of freemen. The acts of Appius Claudius, in his censorship, esteemed the most unwarrantable, were, as may be remembered, his appointment of freedmen's sons to the Senate, and his distribution of freedmen themselves throughout the Tribes. Yet, in the early times, when the slaves in Rome had often been born free, or sprung from parents of free birth in other places, the freedmen would be generally of such a spirit as to make a formidable addition to any party they might resolve to join. They and the poorer Plebeians were now united, as has been mentioned, with the extreme Patricians.

<sup>1</sup> Liv., XL. 18, XLII. 27, &c.

<sup>2</sup> Ibid., X. 21. XXII. 11, &c.



The more general class to which the freedmen were but exceptions was that of the slaves. Less numerous while captured from the thinly peopled towns in the neighbourhood of Rome than when obtained throughout all Italy, and especially from foreign countries, the slaves were also less corrupted and much less degraded than their successors in later times. The prisoners, few and almost kindred as they were, of the early wars, were divided amongst many Roman households, in which they were condemned to scarcely greater toils<sup>1</sup> than those their masters themselves performed. It was not, perhaps, until the slave became a freedman that he began to be most restless ; the loss of liberty being more easily endured than the intermediate condition to which he was raised by emancipation. This, however, is to be predicated of the slaves only in the earlier ages, when the distinction between them and their masters was merely that between the conquerors and the conquered. A different picture will be necessarily presented hereafter ; but it is, for the present, sufficient to recognise the blot upon the liberty of the Commonwealth in the existence of a class to which an inferior,<sup>2</sup> and, as it must have been in many instances a hopeless position, was assigned amongst the victorious nation.

<sup>1</sup> The occupations of private slaves were those of labourers, domestics, mechanics, and, in after times, of professional and even learned men. The public slaves were employed upon the great roads and buildings, as well as in the service of the magistrates, and after-

wards in the navies and armies of the Commonwealth.

<sup>2</sup> "Quasi secundum genus hominum." Florus, III. 20. The slave was not so by nature however, as in Greece, but by his misfortune and his master's right.



The aliens<sup>1</sup> formed another inferior class; including, at first, all who were not citizens, or more correctly speaking, all who were neither citizens, on the one hand, nor, on the other, bondmen in Rome. The ancient law regarded them as enemies,<sup>2</sup> against whom the faces of gods and men were to be turned; and though the letter was changed in after times, the spirit of the law remained the same towards all of foreign birth, especially if they were also of foreign residence. It is not yet, however, in season to take our view of the world as it was seen from Rome; and we have only to consider the position in which the alien who was attracted to or born in the city or the country would find himself situated while pursuing his trade for life or seeking temporary gains amongst the warlike people. It was simply in respect to their trades and occupations that the aliens were allowed to live beneath the safeguard of the Roman laws; though it may be seriously doubted if they were not much oftener obliged to defend themselves against injustice than allowed to accuse their more powerful neighbours who had done them wrong. There were few privileges of any sort, indeed, within their grasp, and even those which were could not be claimed except through the intervention of a Roman patron, or through the Roman Prætor afterwards appointed to controul rather than to befriend them. Escaped, as it were, by a hair's breadth

<sup>1</sup> Or strangers : "peregrini."  
Liv., III. 5, &c.

nostros is dicebatur, quem nunc peregrinum dicimus." Cic., De Off., I. 12.

<sup>2</sup> "Hostis enim apud majores



from bondage, the aliens, whether Italians, as in the early, or actual foreigners and barbarians, as in the later times, were always regarded in so obnoxious a light, that none would come to swell the numbers in the great city except they were utterly ruined by conquest, or totally hardened by corruption or barbarity. The influence of mere intercourse with such a class upon the citizens of Rome will be easily conceived.

The divisions of the people into the four great classes of citizens, freedmen, slaves, and aliens will of themselves explain the nature of the personal relations existing in Rome, and the manner in which the destiny of every man, according to his birth in one or another class, was generally, though not in all cases, as we have seen, inevitably determined. So wide, however, became the distinctions of character resulting from those of fortune, that there was scarcely an opportunity or a pretence of union preserved, and, as we read on, we shall often mark the want of that sympathy which touches the proudest temper with tenderness and exalts the humblest action to success. Other wants will be as clear; and the separation between the different classes, incapable of pliancy before the demands and the perils of successive years, will end at last in the decay of all. There are some things which have to be foretold in every history.

The social relations of the present period were also extended into the future. One universal distinction prevailed, as well amongst the free as be-



tween the free and the enslaved ; it was that which separated the rich from the poor. No longer so gradual as it had been, no longer mingling itself, on one side and on the other, in a middle condition of moderate fortune or tolerable poverty, it was now like an opening abyss between the extravagantly rich and the degradedly poor. Several instances of prosecution, for transgression of the limits by which Licinius Stolo intended to obstruct the grasping spirit of the wealthy with respect to the public lands, are very briefly recorded,<sup>1</sup> and in such terms, that the vanity of endeavouring to check the growth of excessive wealth is clearly proved. A single mention occurs<sup>2</sup> of the trial and condemnation of certain usurers ;<sup>3</sup> which is again a sign of the way the wind was blowing, though it is equally a sign of the resistance yet a little longer made on the part of those to whom no good was blown. Meanwhile, we must beware against imagining the poor to have formed a class by any means united in proportion to its numbers ;<sup>4</sup> for there were many who looked down with as much contempt on those they considered their inferiors, as that with which they were themselves regarded by their superiors. The poor in the new Tribes would be despised by those in the old ; while they again, who, without being

<sup>1</sup> Liv., x. 13, 23, 47.

<sup>2</sup> Ibid., x. 23.

<sup>3</sup> The prosecution was conducted by the Ogulnii, the same who had been Tribunes, and were now Cule Ædiles.

<sup>4</sup> The number of citizens is mentioned in Liv., x. 47, as having been 262,322. This was in A. C. 292. Fourteen years after, it was 272,000. Liv., Epitome, xi.



registered in any Tribe, had merely immigrated from conquered nations, were disdained by the newly admitted citizens. The unavoidable result of these relations amongst the lower classes was the increase of their afflictions as a mass, and of their disorders as opposing factions. To these some remedies were attempted to be applied. The substitution of the Capital Triumvirs, as they were called, with greatly extended powers,<sup>1</sup> in place of the Quæstors of Parricide, betokens the increase of troubles and the necessity of stronger means of coercion. When pestilence was added to other causes of disorder and suffering, especially amongst the poorer orders, an embassy was sent to the shrine of Æsculapius at Epidaurus,<sup>2</sup> to implore the aid of the hero-god against the plague; but the appeal to the immortals was vain until their temples on earth had been completed with new columns,<sup>3</sup> of which social rights, thus strangely wanting in the old, should be, as it were, the bases, the shafts, and the capitals. Even between the highest Plebeian and the ancient Patrician families, the social differences appear, in many instances, like chasms still unbridged by equal laws.

<sup>1</sup> Besides the management of capital trials and the execution of capital sentences, which had been in charge of the Quæstors, the Triumvirs were empowered to collect the fines for public offences, and to preserve the public peace. The date of their institution was probably somewhere between A. C. 295 and 290. Liv., Epit., xi.

<sup>2</sup> Val. Max., i. 8, sect. 2. Liv., x. 31, 47, Epitome, xi. The embassy was headed by Quintus Ogulnius.

<sup>3</sup> "Nec.....

Leges sinebant.....deorum  
Templa novo decorare  
saxo."

Horat., Carm., ii. 15.



The numbers and trials of the inferior classes were much less apparent in a political point of view, because of the equality which was nominally established between all the Plebeians and their old superiors, the Patricians. There were ranks, indeed, amongst the Plebeians, to which posts so narrow and so trifling were assigned, as to give them any other look than that of being either vigorous or respected ; and there was still a host of lower orders, as we have observed, to rise even to inferior places in the lists of citizens. It remains to be seen whether the impulses which had been long in action would still continue to turn the inferior into an equal with those above him, or whether they who had already risen would prevent their own example from being followed. The great parties of the period have been defined ; but one of them now needs to be more particularly described.

No other portion, indeed, of our history more thoroughly deserves illumination from all the light it can in any way receive, than that of the popular party, as it must be called, in which, at the present time, the best Patricians and the most eminent Plebeians were combined with all the middle classes, such as they were, of the Commonwealth. The age of these men was called the golden age of Rome, and yet the treasures which were found and amassed, through the battle abroad or through the reform at home, were inadequate to the support or the transmission of liberty amongst their posterity. The censorship of Fabius and Decius, some time ago related, affords an instance of the policy pursued by the party which



triumphed, in their persons, over the contrary faction led by Appius Claudius. The sons of freedmen were struck from the roll of the Senate ; and the freedmen themselves were deprived of the political influence they had suddenly acquired, by being thrown together into the four City Tribes, in which they might preponderate without exercising any appreciable influence upon the decisions of the assembly, wherein they had so small a part. It is probable, to say the least, that the freedmen and the sons of freedmen, notwithstanding these reforms, were left by the Censors in quite as elevated a position as they then could fill with any advantage to themselves or to the Commonwealth ; but there was no provision for their future advancement, of which, on the contrary, the possibility might rather seem to be denied. This want of concern, not for the present, but for the future welfare of the great body of the people, including, at least, the lower Plebeians besides the class adduced above for the sake of illustration, was as injurious to the party by whom as to that towards whom it was shewn. Instead of encouraging continual growth in freedom amongst the inferior orders, it seems as if the popular party, forgetful of their name and place, had stood, as full-grown trees are sometimes seen, absorbing the moisture of the earth and diverting the sunshine in the skies from the lowlier plants, which, though incapable of pushing up their branches all at once, were designed to lift their breathing leaves nearer and nearer to the air and height of the older foliage.



This spirit in the popular party is intelligible, not only on the general principles which account for any degree of selfishness, even in those who have longest suffered from the selfishness of others, but, much more practically, by means of the particular principles at this time prevalent in public life at Rome. The man who sought to do his duty was not instructed to make himself better, or to increase the happiness of those who were dependent upon his labour or his affection ; he saw but one way to distinction, and that he pursued, with the name of his country on his lips, over the corpses of the battlefield, or through the passions of the Forum. The hope he lived for, according to the laws of his gods and his ancestors, was glory ; nor was it often allowed him to see that the good or the glory of any other individual was necessary to be consulted with his own. All the self-forgetfulness to which he could attain was when the claims of his country or of his party reached his ear ; the loudest appeal of his fellow-men, as such, upon his justice or his love was never raised above a whisper, nor ever heard but as a menace. In respect to his party, he was bound to make every effort that could increase its authority, which was never to be surrendered or divided amongst its adversaries, nay, which, as sometimes happened, was to be refused its own partisans, especially if of a lower order. Any natural benevolence of the public man gave way to these uniform aims, comprised, as partly stated, in political power, that is, in civil authority and in military dominion, the same whether



individually, factiously, or, as would be said, patriotically, desired. Perhaps the course of the popular party will now appear to have been more naturally directed towards political ends through narrow channels.

It is a much more agreeable office to record the testimonies at this time presenting themselves in favour of the popular party, concerning its appreciation of the personal immunities which belonged to all classes of citizens. The same year in which the Ogulnian law completed the political equality of the Plebeians with the Patricians, Marcus Valerius, perhaps the same Valerius Corvus whom we have met before,<sup>1</sup> and, if so, now in his fifth consulship, brought up the laws concerning appeal, which bore his family name, to be reenacted. The language of the historian implies the motive of their confirmation<sup>2</sup> to have arisen from the power which the few possessed to the peril of the common liberty;<sup>3</sup> and it suits precisely with the character of Valerius Corvus that he should assure the lower classes of protection under the same laws which had protected those who were now amongst the superior citizens.

It may have been from a similar policy with the party of which Valerius was a great ornament,<sup>4</sup> that

<sup>1</sup> But, perhaps, a certain Marcus Valerius Maximus.

<sup>2</sup> The second that had taken place, according to Liv., ix. 9, iii. 55. But the same privilege of appeal was also introduced into the Twelve Tables. See ch. iii.

<sup>3</sup> "Causam renovandæ sæpius

haud aliam fuisse reor, quam quod plus paucorum opes, quam libertas plebis poterant." Liv., x. 9.

<sup>4</sup> He was again Consul in the next year (Liv., x. 11), after which he appears no more in active service though he lived to enjoy a glorious old age.



two more Tribes were very soon afterwards enrolled from some of the lately conquered Italians;<sup>1</sup> though it must be confessed that the newly registered citizens, who could and did come up to Rome from month to month, or from week to week, were, generally speaking, of the same class and the same opinions as the popular, or even, in many cases, as the Patrician party.

The very year in which the new Tribes were admitted, the wars that had for an instant lulled, broke out again in Etruria<sup>2</sup> with their former fury, soon spreading into Samnium,<sup>3</sup> then into Umbria,<sup>4</sup> and even rousing the Sabines<sup>5</sup> from the peace they had long preserved. It is fortunately unnecessary, in this place, to describe the victories or to eulogise the heroes of these various contests; but there are one or two scenes to be transferred from the midst of violence and restless efforts, because they indicate the higher character that was of natural growth under the liberty of Rome.

Three years after the renewal of the wars,<sup>6</sup> Lucius Volumnius, a Plebeian of great distinction and of high alliance, was elected Consul with Appius Claudius, the former Censor; both having held the same office together ten years before. The contrast between the colleagues is the contrast between the two great shades of Roman ambition, — the one being a claim to authority, and the other a desire

<sup>1</sup> A. C. 299. Liv., x. 9.

<sup>2</sup> Liv., x. 10.

<sup>3</sup> A. C. 298. Liv., x. 12.

<sup>4</sup> A. C. 296. Liv., x. 18.

<sup>5</sup> A. C. 290. Liv., Epit., xi.

<sup>6</sup> A. C. 296. Liv., x. 16.



of renown. The war was now at its height, both in Etruria and in Samnium; and while the campaign in the former country fell to the charge of Appius, Volumnius was intrusted with that against the Samnites. He began his operations with great brilliancy;<sup>1</sup> but Appius lost ground in Etruria, and brought his army into a miserable plight of uncertainty and ill-will, foreboding the worst results, when Volumnius suddenly appeared with a large force before the camp of his colleague, by whom, he said, he had been hastily summoned. Of this there could be no doubt: but Appius, as if to escape the imputation of alarm or mismanagement, denied that he had sent for Volumnius, and so slighted him, indeed, in return for his friendliness or his activity, that Volumnius would have straightway returned to Samnium, had not the soldiers besought him to remain until a nearly impending engagement should be fought and won. Most men,—most Romans, at least,—would have left their colleagues, if like Appius, to their fate; but Volumnius stayed to lead the charge in the battle, which soon became a victory; and then marched back to his province, returning, at the proper season, to hold the elections at Rome for the ensuing year.

The story of his moderation and his bravery had prepared his welcome and confirmed his fame. Before calling the Centuries, in form, he addressed the people upon the magnitude of the wars in which they were involved, and the necessity of choosing

<sup>1</sup> Liv., x. 18.



their best generals to the consulship ; hinting, besides, that he would have named a Dictator beforehand, had he not been confident in the good judgment of his countrymen.<sup>1</sup> Fabius Rullianus, whom all understood to be the intended Dictator, and whom Volumnius very likely designated by gesture, if not by name, was speedily returned Consul by the votes of the Centuries, Volumnius himself being chosen for his colleague.<sup>2</sup> Fabius, now far advanced in years, first simply desired to be excused from service, and on this being refused, he declared his inability to do any good to the Commonwealth, unless Decius Mus, his former associate,<sup>3</sup> who was familiar with his ways, and in whose capacities he was himself confident, should be given him for a colleague, instead of the one already elected, with whom he had never served. Far from being angered at the slight he did not deserve, Volumnius seconded the proposal of Fabius with so much zeal, that Decius was appointed in his stead ; his own authority being then extended to him as Proconsul for another year. It would have been well, for the sake of Rome merely, had such a consulship as that of Volumnius being extended for centuries.

The next scene to be rescued from the wars was the exact counterpart of another we have already witnessed. Fabius and Decius, the Consuls whom Lucius Volumnius himself may be said to have elected,

<sup>1</sup> Liv., x. 21.

<sup>2</sup> Ibid., x. 22.

<sup>3</sup> They had thrice been col-

leagues ; once in the censorship, and twice in the consulship. Fabius had been four times, and Decius three times Consul.



took the field against the enemies collected in the North, where, at Sentinum, they shortly encountered the forces of the Samnites united with some Gauls whom their pay<sup>1</sup> had induced to take up arms. The soldiers under the command of Fabius fought vigorously and successfully; but those of Decius gave way, almost before engaging with the enemy. He, however, remembering his father's example, and excited by various preceding omens, devoted himself to death, together with the hostile army, into the midst of which he plunged to die. Victory followed; and the name of Decius the son was added to the list of the battle-martyrs whom such a destiny as that of Rome required as her sacrifice.

The great Fabius Rullianus had a son, Fabius Gurgus, who was elected to the consulship a year or two after the death of Decius.<sup>2</sup> On taking the field against the Samnites, the new Consul proved so unsuccessful and appeared so incompetent, that it was proposed in the Senate to remove him from his command. The proposal would probably have been carried, but for the elder Fabius, who, with an humbler manner than he used in the defence of his son-in-law, Calatinus, before the Centuries,<sup>3</sup> entreated the Senate to spare him the shame of his son's disgrace, to whom he, aged as he was, would hasten as a simple lieutenant, if he were allowed, and help him to retrieve his doubted honour.<sup>4</sup> The old man, accord-

<sup>1</sup> Liv., x. 21, 28.

<sup>3</sup> See ch. ix. p. 40.

<sup>2</sup> For the year A. C. 292. Liv., x. 47.

<sup>4</sup> Liv., Epit., xi. Dion Cass., fragm., xxxvi., ed. Reimar.



ingly, joined the army. His counsels and his son's awakened energies brought about an action altogether favourable to the Roman arms; and a triumph was soon celebrated in the city, which none who witnessed it could behold unmoved. Close behind the chariot of the Consul, as he was borne up towards the Capitol, rode his lieutenants, as was the wont in any triumphal march; but among them was the father, as was never the wont at any time, following his son with the same affectionate spirit that he had shewn in his excuse before the Senate and in his service on the field.<sup>1</sup> The nearness of extremes, however, was never more apparent than on that day of general rejoicing, when Caius Pontius, the heroic Samnite general, was led aside from the triumphal procession, in which he had walked among the captives, as it began to ascend the Capitol, and slain in prison,<sup>2</sup>—the thank-offering of Fabius Gurges to his father and his applauding countrymen.

All these names belong to the popular party, of whose members, as we have to observe their errors, it is well to know the good that can fairly be ascribed to them. We can further judge them by contrast; the opposition of Appius Claudius or of Postumius

<sup>1</sup> "Triumphantis currum equo insidens sequi, quem ipse parvulum triumphis suis gestaverat, in maxima voluptate posuit." Val. Max., v. 7, sect. 1. The death of Fabius, the father, occurred not long after this time; and every man in Rome is said to have brought contributions to the expenses of the funeral.

De Vir. Illust., xxxii. "The old Fabius," says Arnold, with his usual spirit, "was the Talbot of the fifth century of Rome; and his personal prowess, even in his old age, was no less celebrated than his skill as a general." Hist. Rome, vol. ii. p. 363.

<sup>2</sup> Liv., Epit., xi.



Megellus being as decisive, negatively, concerning them as the deeds and opinions of Fabius, Decius, or Volumnius are positive testimony in their regard. Postumius Megellus, of great Patrician family, is first mentioned as a Curule Ædile,<sup>1</sup> who distinguished himself by prosecuting many of the numerous offenders against the laws concerning public lands and usury. He afterwards appears as the object, himself, of a prosecution conducted by a certain Tribune, and as having escaped trial only by being appointed lieutenant to one of the Consuls then taking the field.<sup>2</sup> The turbulence of the magistrate or the citizen was the excellence of the warrior, and at three different elections Postumius was returned Consul, — once towards the close of the former,<sup>3</sup> and twice again during the present wars.<sup>4</sup>

On his third election, Postumius, somewhat strangely, claimed the charge of the campaign against the Samnites, who were already virtually subdued; and as there was no particular necessity of hurrying his operations, he turned aside from his march to visit some newly-conquered lands of which he had got possession. The secret of his choosing the campaign in Samnium was plain; hero as he was, Postumius was also a rich man, to whom gains were better than any laurels. Finding that the new estate

<sup>1</sup> The year of his ædileship, however, is unknown, and I but suppose this office to have been the first of those Postumius is mentioned as having filled. The prosecutions are recorded in Liv., x. 33.

<sup>2</sup> Liv., x. 46.

<sup>3</sup> A. C. 304. Liv., ix. 44.

<sup>4</sup> A. C. 294. Liv., x. 32. A. C. 291. Dion. Hal., Exc., xvi. 15.



needed a great deal of labour to be made productive, he set two thousand of his soldiers upon clearing the woods and preparing<sup>1</sup> for the cultivation or the use to which he liked to put his large domains. At his own time, he led his men forward to Cominium, a town in the centre of the enemy's country, which Fabius Gurges, the Consul, and with his father's aid the victor, of the preceding year, was then besieging, with an army under his orders, as Proconsul. To him Postumius sent forward, bidding him resign his command, which he, the Consul, claimed for himself; but Fabius appealed to the Senate, who straightway despatched some of their own members to prevent Postumius from doing so great an affront to themselves as well as to the Proconsul of their appointment. Postumius replied to the Senators who sought him, that they were not to govern him, but that he was to govern them;<sup>2</sup> and on his arrival at Cominium, he instantly dismissed Fabius from the siege. The town soon surrendered to Postumius; and others besides Cominium were speedily reduced to submission by the skill and gallantry he always shewed in his military achievements. At his proposal, a colony was sent to one of the captured cities; but he counted in vain upon the advantageous, perhaps in his case the lucrative, office of commissioner to the new settlement; and when he found that others were appointed in his stead, he

<sup>1</sup> Dion. Hal., Exc., xvi. 15.

φήσας, ἕως ἐστὶν ὑπατος, ἀλλ' αὐτὸν τῆς βουλῆς. Dion. Hal.,

<sup>2</sup> Οὐ τὴν βουλὴν ἀρχειν ἑαυτοῦ,

Exc., xvi. 16.



turned over all the public booty to his soldiers, whom he then disbanded without waiting the arrival of his successor. There were few to declare themselves in his support when he returned to Rome and went through the form of appealing to the people<sup>1</sup> from the refusal of the Senate to grant him a triumph; and though he did triumph, it was because he was too haughty to yield to any opposition he might have aroused. On being accused, however, of illegal conduct by two of the Tribunes, there was not a Tribe but voted for his condemnation; and he was obliged to submit to the shame and, as it was to him, the misery of an enormous fine.

Curius Dentatus, in many respects the foremost member of the popular party, was a man of very different mould, though as fierce a warrior.<sup>2</sup> Tribune a few years before, he had baffled the designs of Appius Claudius, presiding as Interrex over the consular elections, to prevent the choice of any Plebeian candidate; and he had compelled the whole Patrician party whom Appius led to promise their assent to any election that might be made from the Plebeians.<sup>3</sup> In after years, though not a native, but a

<sup>1</sup> Livy (x. 37) relates these doings about the triumph in connection with the second consulship of Postumius; but the account of Dionysius (Exc., xvi. 18) is here followed on account of its greater consistency.

<sup>2</sup> His account of his campaign against the Sabines is that of a barbarian:—"Tantum agri cepi, ut solitudo futura fuerit, nisi tantum

hominum cepissem; tantum porro hominum cepi, ut fame perituri fuissent, nisi tantum agri cepissem." De Vir. Illust., xxxiii. Words which I would not quote except to open another view of the destruction which it was the work of the Romans to accomplish.

<sup>3</sup> Cic., Brut., 14. "Quod fuit permagnum," adds Cicero.



Latin-born citizen, Curius became Consul, general, and conqueror.<sup>1</sup> His victories over the Samnites and the Sabines were enough to pave his way to any authority or to any opulence he might have desired amongst his countrymen ; but, instead of seeking his own interests, he lent all his influence and energy to effect a distribution of the public lands in relief of the needier citizens, whose wants must have been increased, as usual, by the ten years' warfare that had passed. A first assignment of seven jugers was followed by a second of the same extent and to the same individuals ;<sup>2</sup> and when both these together proved insufficient to relieve a large number from their embarrassments, Curius appears to have joined some Tribunes in proposing a law by which the abolition of all existing debts was again declared.<sup>3</sup> To such propositions there were sure to be more opponents than supporters ; nor was the Senate, which is especially named<sup>4</sup> as having been in opposition, the only body or the only party to resist the discharge of debts, however the division of lands had been

<sup>1</sup> In the year A.C. 290. Liv., Epit., xi. De Vir. Illust., xxxiii. See Cic., Pro Murena, 8.

<sup>2</sup> "Quaterna dena agri jugera viritim populo divisit." De Vir. Illust., xxxiii. It is reasonable to suppose that there were two allotments made rather than one, because the number of seven jugers was commonly taken as the limit of a single assignment ; but there is no ground that I know for separating the two assignments from

one another by any considerable interval of time. See, however, note 22 to ch. xxxiv. of Arnold's History. The first consulship of Curius Dentatus was in A.C. 290 ; and it is in that or the subsequent year that I suppose him to have begun and ended his exertions in favour of the lower citizens.

<sup>3</sup> Zonaras, viii. 3.

<sup>4</sup> Appian., De Reb. Samnit., v. Fragm.



allowed. The curtain is drawn over the incidents which followed ; and the single glimpse to be caught of Curius Dentatus in the midst of a body-guard<sup>1</sup> does not assure us of his wisdom in promoting the cause he was unusually wise to have even started. There can be no doubt, however, of his uprightness ; and it is still recorded, that, though offered a large share in the public domain, as the merited reward of his services, by which, indeed, the domain in question had been acquired, he refused to take more than the rest of his countrymen had received.<sup>2</sup> He knew, it seems, the worth of example to the rich, as well as that of succour to the poor ; but he could not know the vanity of both, where rich and poor were sun-dered as they were in Rome.

The moment Curius disappears,<sup>3</sup> the questions of relief to the lower classes, and of union between them and the higher, sink into the background ; the full front of our history being again occupied by parties in pursuit of merely political objects, which could only be imperfect, though gained through orderly and peaceful toils. The first event, however, following the consulship of Curius Dentatus, at an interval of four years, was a revolution, as appears from

<sup>1</sup> Appian., *De Reb. Samnit.*, v. *Fragm.*

<sup>2</sup> Compare *Val. Max.*, iv. 3. sect. 5, with *Plin.*, *Nat. Hist.*, xviii. 4. The former's story of the answer to the Sabine ambassadors testifies to the same simplicity, —in that case, nevertheless, if true, a little affected. *Val. Max.*, *loc.*

*cit.* *De Vir. Illust.*, xxxiii. *Plin.*, *Nat. Hist.*, xix. 26.

<sup>3</sup> He is again, however, mentioned as directing the canal from the lake of Velinus, through which the water still dashes down to Terni, and likewise as superintending the construction of an aqueduct for Rome.



the laws which brought it to an end. Even these will not fill up the sketch, whose broken outlines consist in a Plebeian secession, after long sedition, to the Janiculan hill,<sup>1</sup>—the dismay of the Senate, increased by the approach of a hostile army,<sup>2</sup>—and the elevation of Quintus Hortensius, a great man of the popular party,<sup>3</sup> to the dictatorship, in which capacity he called the people together, and induced or permitted them to pass a law investing the decrees of the Tribes with plenary independence and authority.<sup>4</sup> The interrupted narrative continues with the death of Hortensius,<sup>5</sup> and the appointment of a successor, who is merely conjectured to have been Caius Mænius,<sup>6</sup> the Dictator in the times of the conspiracies, six-and-twenty years before,<sup>7</sup> because there was a Mænius in sufficient authority, after Hortensius died, to procure the passage of a law by which the Curies were deprived of their right to sanction, and, reversely, to annul, the elections of the higher magistrates.<sup>8</sup>

<sup>1</sup> "Plebs propter æs alienum, post graves et longas seditiones, ad ultimum secessit in Janiculum." Liv., Epit., xi. See Plin., Nat. Hist., xvi. 15, in note 4 below.

<sup>2</sup> Zonaras, viii. 2.

<sup>3</sup> His name is mentioned by Livy, Pliny, and in the Fasti; his repute is proved by his appointment at such a time.

<sup>4</sup> "Q. Hortensius, quum plebes secessisset in Janiculum, legem in Esculeto [the Oak-Grove] tulit, ut quod ea jussisset, omnes Quirites teneret." Plin., Nat. Hist., xvi. 15. "Pro legibus placuit et ea

[plebiscita] observari lege Hortensia." Digest., lib. i. tit. ii. sect. 8. See also Gaii Instit., i. sect. 3, and Aul. Gell. xv. 27. There was another law, or another clause of the same law, to make the market-days business-days for the whole people. See Arnold's History, vol. ii. p. 384, and the reference there to Macrobius.

<sup>5</sup> Liv., Epit., xi.

<sup>6</sup> Niebuhr's History, vol. iii. p. 196.

<sup>7</sup> Ch. viii. p. 33.

<sup>8</sup> Cic., Brut., 14; Pro Plancio, 3. Liv., i. 17.



It can only be supposed that the law of Hortensius, though probably directed against the controul of the Senate rather than that of the Curies<sup>1</sup> over the bills accepted in the Tribes, was, together with the law added by Mænius, intended to increase the powers of the great assemblies of the Tribes and Centuries, through which the popular party acted, and in which it then possessed the upper hand. But whether it was this party that occupied the Janiculum, or the lower classes who broke out into insurrection on account of their sufferings, and then allowed themselves to be managed by the popular leaders, who pressed their laws as if these were to clothe the naked or feed the starving, must still be a mystery. One further conjecture may be permitted,—that, in consequence of the endeavours of Curius Dentatus and the Tribunes to relieve the poor, these, on the one hand, were disposed to trust their wants to the chief men amongst the popular party, of whom, on the other hand, the greater number were urged by the same efforts to strengthen their authority and be prepared against the claims that might be made upon their compassion or their justice.

Somewhere about the present period, there occurred a change in the organisation of the assembly of Centuries, concerning which, however, there is

<sup>1</sup> Because the power of the Curies to accept or reject the laws of the Tribes had already been taken from them, as is supposed, by the Publilian laws. See ch. viii. pp.

18—20. This Hortensian law took the same right, according to Niebuhr, from the Senate. See his History, vol. ii. p. 168, vol. iii. p. 74.



but little, if anything, really known.<sup>1</sup> It seems to have consisted in substituting the Tribes in place of the classes, according to which the Centuries were previously enrolled; but, as the assembly still continued aristocratical, in contrast with the more democratical assembly of the Tribes, the alteration may be believed to have been but one of form. The Curies, on the other hand, long before assailed, received their mortal wound from the Mænian law, and, in the course of a few years, were simply represented at the elections by a band of thirty lictors, in whom their name and their number were supposed to be perpetuated.

Other institutions and other doctrines, over whose fall there would or ought to have been more rejoicing than could have been provoked by that of the broken-down Curies, still kept their ground. In the year after the consulship of Lucius Volumnius,<sup>2</sup> a time was set apart, by order of the Senate, for solemn devotions, in consequence of many strange presages that had been observed and feared. In the season of supplication, the wife of Volumnius, by name Virginia, a woman of the highest birth, came to the Temple of Patrician Chastity, to offer up her vows; but was denied the right of entrance or of worship by the Patrician ladies who were gathered at the shrine, because, said they, she was married to a Plebeian. The historian, alluding with unusual gravity to the quick-

<sup>1</sup> See the honest discussion of the whole question in the second

Appendix to Arnold's second volume.

<sup>2</sup> Therefore, A.C. 295.



ness of resentment which he declares to be peculiar to women, proceeds to confess the loftiness of Virginia's demeanour. "I thought," she exclaimed, "I had as good a right here as any ; but if it be on my husband's account that I am thus affronted, I say I am neither ashamed of him, nor of his exploits, nor of his honours." She then withdrew, and, for her sole revenge, set up an altar in her house to Plebeian Chastity, to whose worship she invited her Plebeian countrywomen.<sup>1</sup> The resolution on her part was as noble and as rare as the feeling which the Patrician dames shewed to her was frequent and ill-omened.

The triumph of the popular party left many fears for the present and the future unassuaged. Its errors have no need of being expounded before Christians ; but it may be good for many to reflect a moment upon the connection between the seeds and the harvest of liberty in Rome, which is so apparent in the conduct of those amongst her citizens who were the first and the last to rise, as an estate, beneath her laws. It is thus that the later revolutions, however sudden, will be seen to have had their preparation in the characteristics of the era we have passed.

<sup>1</sup> Liv., x. 23.



## CHAPTER XI.

## CONQUEST AND CONDITION OF ITALY.

"Come and see

The cypress, hear the owl, and plod your way  
O'er steps of broken thrones and temples!"

BYRON, *Childe Harold*, iv. 78.

"They are no more than links in the chain winding round the world."—  
MACKINTOSH, *Hist. of England*, vol. i. p. 264.

BEYOND the crowded quarters of modern Rome, the ruins of the ancient city lie scattered and solitary. Like gravestones<sup>1</sup> above the race that reared them in their prime, they cover dust, which in the shadowy or the thoughtful hour, appears to be recreated in the forms of long-buried generations. Old conflicts, old triumphs, and old heroes sweep through the broken arches and crowd about the sunken columns, until these, too, assume the shapes they once wore, and revive to greet the phantoms which have been brought back to them by the memory of the watcher or the pilgrim. Sometimes a living throng, in sparkling attire and of rapid tongue,

<sup>1</sup> "Where the ground,  
League beyond league, like one  
great cemetery,  
Is covered o'er with mouldering  
monuments ;

And let the living wander where  
they will,  
They cannot leave the footsteps of  
the dead."

ROGERS'S *Italy*.



inundates the lonely places that scarcely form a part of the surrounding city, and breaks the slumber in which they have lain through the week or through the year. But the life and the rejoicing of the people that is still called the Roman cover the ruins to which the ancient name seems rather to belong with deeper melancholy; and, more spectral than in their solitude, they rise above the crowd like skeletons to whose wasted limbs the touch of flesh and blood is a convulsing mockery. No proof could be clearer of the annihilation of former things than the horror with which their very fragments of brick and stone shrink from the light of day and the noise of men. Nor can there be any image of the desolation which fell upon the nations whom Rome conquered in her heathen times more striking than the appearance of the victorious city itself in these Christian days, which suffer us to see the terrors and the crimes of warfare.

As soon as we engage in the dismal period through which the line, at least, of the Roman conquests is to be followed, we seem to see more clearly the purpose for which the people has been strengthened by a development of liberty, greater, in many respects, than was allowed to any other ancient nations. It was the freedom amongst themselves that preceded the victory over the rest of their world.<sup>1</sup>

No adequate idea has yet been given in these pages concerning either the magnitude of the early

<sup>1</sup> Which Dionysius notices as early as in the reign of Romulus :— *Ἐλευθερίαν τε καὶ ἄλλων ἀρχήν.* II. 4.



warfare or the extent of the original conquests. Even the mention which has been scrupulously made of the new Tribes, as they were successively added to the Commonwealth, until they amounted at the present period to three-and-thirty, fails to tell the story as it should be told, and for this reason,—that the conquered people were not always registered in Tribes, but often became dependent, or, as they were sometimes permitted to style themselves, independent allies. Nothing but the great number of auxiliary, added to the Roman forces, could explain the swiftness and the security with which enemies on every side, singly or collectively, were overcome during the years we have latterly passed ; and it is only a clear perception of the large armies, always comparatively speaking, which were engaged, and the universal passion which was now aroused throughout Italy, that can here save us from the mistaken notion of a people dashing into conquests as though they had been games, instead of the struggles that they really were in heart and limb.

The Roman dominions at the epoch of the Hortensian law might be defined, upon the map of Italy, by a line beginning towards the northwest, between the forty-second and forty-third parallels ; thence drawn above the southern part of Etruria, the country of the Sabines, and a portion of the adjoining Picenum on the north ; including most of the region between Picenum and Samnium on the east ; and then stretching to the south around Campania, as far as Vesuvius, and the whole of Latium. Within these



limits many towns and several people, besides those admitted to the Tribes, continued under their own laws ; but there was neither a people, nor a town, nor a hamlet, over which the superior power of Rome did not extend. The struggles which such a supremacy must have cost, and the trials to which it must have been exposed, are perfectly obvious.

Such, however, being the strength of the Commonwealth, it but obeyed its natural principles of growth in subduing the rest of Italy. The decisive period of the conflict between the Italians and their conquerors began, the very year of the unknown insurrection at Rome, with hostilities on the part of the Etruscans and the Southern Lucanians. The Northern Gauls who joined the Etruscans were the first to be overthrown ; but a host of other enemies was gathered from Tarentum, the Greek cities of the Southern coasts, the Bruttians, the Lucanians, a part of the Apulians, and the relics of the Samnite nation. The arrival of Pyrrhus, the king of Epirus, and the best warrior of the times, who came to lead the forces of free Italy against those whom Rome had conquered and forced to become her allies, bade fair to prove the turning-point in the destiny of many nations and of the world. But the time was past when a Grecian hero could prevail upon the earth ; and the triumph of the Western nation, ordained on high, was only deferred, as it seems, by dangers through which its ultimate security was prepared. The victories of Pyrrhus at Heraclea and at Asculum were scarcely worthy of the name ; and when he was



but once defeated at Beneventum, he withdrew in haste from the country, which he saw was doomed to another rule than that he had hoped to found.<sup>1</sup> Before his final departure, Etruria had already made its submission; and within three years from the action at Beneventum, the Samnites, Apulians, Lucanians, Bruttians, and Tarentines were all overpowered. An outbreak of the people of Picenum, on the Adriatic, was speedily crushed; and a war with the Umbrians in the north, and the Sallentinians in the extreme south-east of the peninsula, completed the subjugation of Italy, from the lowest promontory up to the rivers Macra and Rubicon.<sup>2</sup>

When the philosopher Cineas, the favourite attendant of Pyrrhus, appeared in Rome after the first of his master's victories, bearing the offer of peace on condition that the freedom of the Italian Greeks and the Southern nations generally of Italy should be recognised,<sup>3</sup> his attentions to the leading men were so artfully plied, and the fairness of the terms he brought was so eloquently urged, that the Romans were said to have hesitated whether to send him back with an answer of defiance or with one of submission. If there really were in such a case a doubt, inconsistent as it would be with the ambition and

<sup>1</sup> His purposes, as related by Plutarch, throw a singular light upon his defeat, when we remember the objects for which the Romans triumphed. See the Life of Pyrrhus, 14.

<sup>2</sup> This sketch is chiefly taken from the Epitomes of Livy, the

twelfth to the fifteenth inclusive. All the events occurred A.C. 286—266. Pyrrhus came to Italy in 281, and departed (having been in Sicily from 278 to 276) in 275.

<sup>3</sup> Appian., De Reb. Samnit., Fraggm. x. 1.



the resolution of the people to whom it is imputed, it soon vanished. The Senate, before which Cineas had already made his proposals, was again assembled;<sup>1</sup> when its deliberations were interrupted by the appearance of Appius Claudius, who, on account of infirmities and blindness, had been for some time secluded from the scenes in which he had formerly been conspicuous. The same spirit which had braved the opposition of his antagonists, and, as in the instance of Volumnius, flung back their offered aid, burned in the words<sup>2</sup> with which the old man seemed to see, as well as to address, his fellow-Senators; and Cineas was soon dismissed, to report to his master that the Senate was an assembly of kings, and that the people of Rome were like a hydra, which no man and no nation could overcome.<sup>3</sup> The formal answer to Pyrrhus, that the war would be continued so long as he remained in Italy,<sup>4</sup> was followed up, not only by his expulsion, but by the utter overthrow of the nations whose interests he had adventurously, yet selfishly, espoused. And if the history of the conquest of Italy could be written out in full from the accounts, whose loss, however, is by no means lamentable, it would undoubtedly prove the history of an enterprise conceived and fulfilled by a young and vigorous nation,<sup>5</sup> invin-

<sup>1</sup> Liv., Epit., XIII.

<sup>2</sup> Of which, however, nothing now remains but the mention of them and their effect, as in Liv., Epit., XIII.: Cic., De Senect., 6; Brut., 14, 16; unless Plutarch's report (Pyrrh., 19) be more credible than it seems.

<sup>3</sup> Plut., Pyrrh., 19.

<sup>4</sup> Ibid.

<sup>5</sup> So the conclusion to the first book of Florus:—"Talis domi ac foris, talis pace belloque, populus Romanus fretum illud adolescentiæ, id est, secundam imperii ætatem



cible, if not invulnerable, in the panoply of freshly riveted freedom.

Not yet, on the other hand, were the Romans so borne away by energy and excitement as to forget their habitual discipline. The same reverence with which they had clung to their laws through the boisterous morning of their existence endured when the fiery sun began to shine full upon them as at noon; and the great names of the times, as well the new, like those of Æmilius Papus, Fabricius Luscinus,<sup>1</sup> and Tiberius Coruncanius, as the old ones of Curius Dentatus, Decius Mus,<sup>2</sup> and Marcius Rutilus, were illustrious amongst posterity, because they belonged to men who had obeyed the laws as steadfastly as they faced the enemies of their country. Fabricius and Æmilius Papus, Censors together in the year of the battle at Beneventum, expelled a Patrician, who had been twice Consul and once Dictator, from the Senate, on account of his ostentation.<sup>3</sup> When Curius Dentatus, in his second consulship, was holding a levy, preparatory to meeting Pyrrhus in the field, and a momentary hesitation

habuit, in qua totam inter Alpes fretumque Italiam armis subegit."

<sup>1</sup> Concerning whose sedate integrity Plutarch is somewhat credulous. See the life of Pyrrhus, 20 *et seq.*, and compare Aul. Gell., i. 14.

<sup>2</sup> Who was said to have sacrificed himself, like his father and grandfather, in the second battle fought with Pyrrhus, at Asculum; but

this is wholly doubtful. Cf. Zonaras, viii., 5, with Cic., De Fin. Bon. et Mal., iii. 19.

<sup>3</sup> He was Cornelius Rufinus; the particular charge against him consisting in the show of silver plate at his banquets. Aul. Gell., xvii. 21. Dion. Hal., Exc., xx. 1. See the earlier story in which Fabricius and Rufinus were connected. Aul. Gell., iv. 8.



about enlistment was manifest amongst the people, he ordered the name of a Tribe to be taken by lot, and then the name of one of its members, also drawn by lot, to be called. The man thus summoned not appearing, Curius directed his property to be seized and publicly sold; and on the delinquent's hastening forward to appeal to the Tribunes against the Consul, the latter commanded him, too, to be sold, together with his possessions, declaring that the Commonwealth had no need of a citizen who would not submit to its demands.<sup>1</sup> Such an extremity in maintaining order was more characteristic than justifiable; but it would not often happen that the letter of the law was violated where its spirit was almost unbrokenly observed. Marcius Rutilus, son of the great Plebeian whom we some time since encountered, was, after being Consul, Pontiff, and Censor, again elected Censor in his old age. He rose in the assembly to reprove the people for having chosen him a second time to an office of which their fathers had found it necessary to reduce the limits even in its single term; and though he did not refuse the post for himself, he urged a law to prevent the reelection of any succeeding Censor.<sup>2</sup> If such were the disposition of the foremost, the mass of the citizens must have still more profoundly bowed before

<sup>1</sup> "Non opus esse eo cive reipublicæ qui parere nesciret." Val. Max., vi. 3, sect. 4.

<sup>2</sup> Val. Max., iv. 1, sect. 3; where the account is thus wound

up: — "Uterque recte, et Censorinus et populus; alter enim ut moderate honores crederent præcepit; alter se moderato credidit." The law is mentioned in Plut., Coriol., 1.



the majesty of the laws to which rank, authority, and even liberty could thus be sacrificed.

But it was impossible that victory so extensive as that which humbled Italy should be achieved without changes and perturbations. The more manifest signs at Rome of the larger dominion were the formation of new offices, and the investiture of the former magistrates with wider powers and greater cares. The number of the Quæstors, the public treasurers, was augmented from four to eight;<sup>1</sup> while various commissions, as they may be called, were now first appointed to take charge of such affairs as the coinage, the roads, and the police,<sup>2</sup> all requiring to be managed on a different scale from that which had suited the city before it became the head of Italy. In their social relations, the people would not at once be sensibly affected; and although some gains in land or booty might be made by the poorer classes,<sup>3</sup> the richer were increasing their possessions, so that the breach between the two was unrepaired. Nay, it was rather widened by conquests which threw power into the laps of those who were already powerful with much greater profusion than was observed in the distribution of advantages to the lower orders; and in the same way, the distinction between all classes of citizens and the races whom they subdued was the more sensible, and the more grievous to the subjects, in proportion to the num-

<sup>1</sup> Liv., Epit., xv.

<sup>3</sup> As in the instance recorded by

<sup>2</sup> Digest., lib. i. tit. ii. 2, sect. 29—31. See Niebuhr's History, vol. iii. pp. 253—255.

Dion. Hal., Exc., xx. 9.



ber of the vanquished. In the private life of the Romans there was the less opportunity of alteration, either for better or for worse, in consequence of their habit, as it might be called, of prevailing against their foes having rendered the principal interests and experiences with which all men were most familiar, well nigh invariable.

The interest taken in the past, like that felt for the present, is more earnestly aroused by the afflictions than by the triumphs of mankind. It is this that makes all heathen history what it should be, an appeal to the compassion rather than to the exultation of its Christian inheritors, and gives to some of its portions a melancholy cast which faith alone can lighten of its look of useless suffering. One of these passages now lies before us, in relation to the victims of the Roman conquests; and though its darkest windings have not yet been reached, there will be many a glimpse of gloom and misery in considering the condition of the Italians. Even a general view of the situation of Italy after the repulse of Pyrrhus and the immediately succeeding victories will involve a return to former years, in order that the condition of the nations subdued or allied in earlier times may be included.

The impossibility of describing the forms of government and the habits of society which prevailed amongst the ancient Italians is the evidence of their entire overthrow. Here and there, it is true, are scattered vestiges of the paths they trod, but too obscure by far to lead us in pursuit of them as living and



active races, to whom independence was the dearer, because one of the few blessings, even in its imperfection, that they could have received. It appears, to make the most of our materials, that the early Italians were settled in separate towns, between whose inhabitants, on account either of various origin or of bitter hostility, there was hardly any peaceful intercourse until the establishment of confederacies, like those in Latium and Samnium, through which the isolated settlements were united under a national government and in a common name. The confederate institutions which seem to have existed throughout the greater part of Italy, and of which many elements entered into the Roman constitution, proved, as time elapsed, to be totally unequal to their own preservation; which, as is self-evident, could have been secured only through strength sufficient to control their separate members, on the one hand, and, on the other, to resist, or rather to conquer, their numerous foes. We know only that these powers, if ever acquired by any of the confederacies, finally failed them all, and that the resources of the different nations to which they belonged, whether gathered under aristocratical or democratical laws, were swept like chaff before the stormy marches of the Romans.

Then, as the conquerors might have said in derision, the loans they had received from the institutions of the conquered were repaid by new systems of their own, imposed upon the weakest, but as yet withheld from the strongest, amongst the vanquished.



The destiny of the Italians is now seen to have been merged in that of the Romans by a higher power than was wielded by any mortal arms. Still, there were various ways in which this fusion was accomplished, and by which the institutions of the Commonwealth were thus extended : and an inquiry into these must further embrace the services universally enjoined, as well as the rights which were sometimes conferred, or the bonds at other times enchained, upon their subjects by the victorious Romans.

The great boon, as it was esteemed when complete, of citizenship was never, probably, bestowed upon a thoroughly humbled enemy. Its private and its public rights, together with the places in the Tribes, by which the possession and the exercise of the rights were secured, could have been granted only to those neighbours over whom a temporary advantage did not necessarily imply any enduring dominion, unless alike judiciously and modestly used. In such cases, the foe became a champion whose arms were at the disposal of his some-time enemy, and whose privileges as a member of the larger state were greater than those he had before enjoyed, though they might still fall short of the authority and the immunity of the elder citizen. At other times, the private rights, or those of family and property,<sup>1</sup> were alone conveyed to the new allies, in addition to the per-

<sup>1</sup> The Connubium and the Commercium ; the public privileges being the Suffragium, the right of suffrage, and the Honores, the

right of holding office. For the full extent of citizenship, see the reference to Cicero, book i. ch. 4, note 1, p. 349, in the first volume.



sonal protection which was always supposed to be afforded to the citizen of any class. In some instances, the private rights themselves were partially or entirely withheld, as if the only object of turning a people into citizens had been to place them in restraint and bring them to humiliation in presence of their superiors ; the burdens upon newly admitted citizens being often most ponderous when the advantages they acquired were of the least importance. Many of the Italians, therefore, refused the offer of citizenship at Rome,<sup>1</sup> preferring one or another of the institutions which we may now proceed to analyse.

The colonies, broadcast, even at this period, throughout Central Italy, have been mentioned as from time to time despatched to provide subsistence for their members, who would, in return, defend the lands or towns in which their settlements were made. A portion of the people<sup>2</sup> belonging to the conquered territory was always registered amongst the colonists, but as an inferior class ; and the distinction of the colony, as a community sent out,<sup>3</sup> from all other communities taken in, holds good from the early to the later times. There was a wide difference, however, amongst the colonies themselves.

<sup>1</sup> As the Hernicans, Liv., ix. 43 ; the Æquians, ix. 45 ; the Prænestines, xxiii. 30. See Cic., Pro Balbo, 13.

<sup>2</sup> Sometimes the whole ; as in the colony at Antium. Liv., viii. 14.

<sup>3</sup> "Non enim veniunt extrinsecus in civitatem, nec suis radicibus nituntur ; sed ex civitate quasi propagatæ sunt ; et jura institutaque omnia populi Romani non sui arbitrii habent." Aul. Gell., xvi. 13.



The first, and for a long time the only ones, were those we have observed as having been formed of the poorer citizens, whose position before the Roman laws continued, after their removal, to be nominally the same as in their former home. Either for want of exercise or from the interference of the superior government, the colonies were, little by little, reduced to a more dependent condition in respect to the political rights with which they were originally endowed,<sup>1</sup> although they still retained the name of being the likenesses or the images of the people<sup>2</sup> to whom they once more intimately belonged. It might often happen, in consequence of the adjacent situation of a colony, that it was gathered again into the fold of the expanding metropolis, and that its members were reinstated or for the first time enrolled in the Roman Tribes. The conquered who were admitted into these colonies would be, until many years were past and many changes wrought, in that inferior grade of citizenship which has been recently described.

As the earlier or Roman colonies were founded for the Romans, so the later or Latin colonies were established<sup>3</sup> for the naturalised citizens and for the allied or the conquered dependents of the Common-

<sup>1</sup> The fact of the Roman colonists having continued to be Roman citizens is unquestionable. See the argument in Cic., *Pro Cæcin.*, 33, 35; or the narrative in Liv., xxxiv. 42.

*craque esse quædam videntur.*" Aul. Gell., xvi. 13.

<sup>3</sup> Of which the first were established at a period long preceding the subjugation of Latium, when the Romans and the Latins were allied. See the instance of Antium, Liv. iii. 1, and of Ardea, *ibid.*, iv. 11.

<sup>2</sup> "Quasi effigies parvæ simula-



wealth. It does not appear that one of these settlements was ever made without a larger or a smaller number of Roman citizens participating in its advantages; but the rights of this class of colonies were naturally so inferior to those possessed by the former, that the citizen of Rome forfeited his privileges by enlisting in a Latin emigration,<sup>1</sup> though the Roman, or the son of the Roman, would undoubtedly arrogate a superiority over his Latin or Italian fellow-colonist. The member of the Latin colony, more generally speaking, enjoyed, at the most, the private rights of citizenship, and not even these universally; while, in rendering the military services claimed from him by the Commonwealth, he was put amongst the auxiliary, never the native, forces in the army.<sup>2</sup>

The organisation of the colonies may be related without any further reference to the distinction between the Latin and the Roman. The great characteristic of them all was, that they were never of independent growth or of individual plantation, but bound, seed, root, and branch, to the stock of which they were but the dependent and inseparable offshoots. The first necessity was the determination of the Senate or the Tribes<sup>3</sup> that a colony should be founded; the next was their decision upon its character, whether it should be Roman or Latin; which, again, was to be followed up by the appointment of

<sup>1</sup> "Certe quæri hoc solere me non præterit, . . . quemadmodum, si civitas adimi non possit, in colonias Latinas sæpe nostri cives profecti sint." Cic., pro Cæc., 33.

<sup>2</sup> See Beaufort, Répub. Rom., Livre VII. ch. 4.

<sup>3</sup> At first of the Senate, as in Liv., VIII. 16.



its position, its extent, and its numbers; and when these measures were resolved, a commission was named to superintend their execution. The colonists themselves literally had nothing else to do but to give in their names to the commissioners, and obey the directions they might then receive; the advantages and the attractions of private enterprise being wholly beyond the reach of men who went out in companies to form a garrison upon the frontier, rather than a growing people in the midst of a widely-extended territory.<sup>1</sup> It may reasonably, therefore, be believed that the colonies were filled by the least rather than by the most adventurous citizens, and that their inferiority in freedom and in improvement was the result of their inferiority in ambition and in energy.<sup>2</sup> Or if such a judgment seem too harsh or too unauthorised, it must, at all events, be evident that the beginning of a settlement with so little reliance upon the activity of its associates, who were, as must be remembered, the indigent or the subservient, foreboded little prosperity in their new existence. The march of the colonists, from Rome or from an Italian town, was led by the commissioners, and the ceremonies of possession or of foundation were performed under their direction, which continued in

<sup>1</sup> "Coloniæ.....ex consensu publico, non ex secessione conditæ." Servius on *Æn.*, i. 12; quoted by Niebuhr, vol. ii. note 80. Cf. *Liv.*, ii. 21, iv. 11, &c.

up the lists for a new colony appear to have arisen from the unwillingness on the part of those expected to join in it to meet any peculiar dangers or disadvantages. See an instance in *Liv.*, x. 21.

<sup>2</sup> The only difficulties in filling



force until the government of the colony was established.

So long as the colonies were able to stand as the bulwarks<sup>1</sup> of their mother-country, and as the granaries, so to speak, of their own settlers, the form of government was esteemed, and really was, of comparative unimportance. For all that the colonial institutions have to add to the history of Roman liberty, they might be overlooked; but it is because they have something to subtract, as it were, from the same history, that they must be included in our present survey. The disposition or the necessity of being contented with a condition in the colonies, which was in most respects inferior to that of the same class as the colonists in the metropolis, is one of the positive proofs we have, that those whom Rome dismissed to her settlements, like those whom she left in occupation of their ancient territories, were cut off, in part at least, from their inheritance, and accustomed to a state of subjection, which ended, as we shall read, in one of corruption. It is not meant that these consequences were immediate, but that they were inevitable, as well to the colonies, which were the first, as to the provinces, which were the last, of the dependent constitutions created for the subjects of the Roman people. These general considerations are, in this place, more appropriate than any details concerning the almost forgotten colonial classes or magistracies. The native inhabitants were

<sup>1</sup> "Colonia.....specula populi      Pro Fonteio, 4. So in his oration  
Romani ac propugnaculum." Cic.,      De Leg. Agr., II. 27.



at first distinguished from the colonists who came to keep them under control ; but the line of division was lost as time advanced, and the memories of the early settlement grew dim. Both classes then became eligible to the offices which had originally been engrossed by the actual colonists ; but the estimation of the Decurions or of the higher appointments<sup>1</sup> was by that time merely nominal, in the eyes of those who would have been blind not to see the towering supremacy of the Roman people, as well as of the Roman magistrates. The Latin colonies were no more subject to their mistress than the Roman to their parent ;<sup>2</sup> the entire dependence of both being the condition of their existence.

Many of the settlements in which the interests of the metropolis were thus especially regarded cost it dear. Some required assistance for want of lands or numbers ;<sup>3</sup> others sought protection against the native people,<sup>4</sup> by whom they were hated, or the enemies by whom they were assailed ; while some, rebelling themselves against the demands of Rome, provoked punishment ;<sup>5</sup> and others, again, were so

<sup>1</sup> The order of the Decurions, the Curia (or the Senate), could alone be chosen to the curatorship (or censorship), and to the Duumvirate (or consulship) of the colony. "Is qui non sit decurio duumvirato vel aliis honoribus fungi non potest. Digest. lib. L. tit. II. 7, sect. 2. None could be Censor, the highest magistrate, without having held the inferior offices.

<sup>2</sup> Both are called colonies of the Roman people, but only the Ro-

man colonies are dignified as those of Roman *citizens*. Liv., xxvii. 9, xxxix. 55. A phrase from Livy (xxix. 15) explains the duty of both in the gentlest terms :—"Pro fide atque obsequio in populum Romanum."

<sup>3</sup> An instance is mentioned in the early part of Livy, ii. 21.

<sup>4</sup> See Niebuhr's notes, vol. II. p. 28.

<sup>5</sup> As in the case of Velitræ. Liv., viii. 14.



wasted as to need re-creation rather than reinforcement, in order to be sustained. There were colonies, besides, which did better service than the Commonwealth deserved from them; but in proportion as Italy became the centre instead of the totality of the Roman dominions, the old system of colonisation was abandoned,<sup>1</sup> and before these years arrived, the early colonies had ceased to be the defences of the people by whom they had been founded, aided, and controlled.

It is more difficult to take an exact account of the municipalities,<sup>2</sup> a name by which the Romans appear to have sometimes deceived and sometimes honoured the Italian towns. Of these, some were governed according to the dictation of the sovereign city, at the same time that their inhabitants were admitted to the private rights of her own citizens; while others, whose people received the same rights of citizenship, were allowed, besides, to retain their own institutions and their own magistrates.<sup>3</sup> There were thus two classes of municipalities: one subject municipally and politically, and the other, though politically subject, municipally free; both, again, being endowed with what would be called personal and social immunities. It is nearly certain that the

<sup>1</sup> See the sketch by Velleius Paterculus, i. 14, 15.

<sup>2</sup> Municipia, sometimes translated the Free Towns.

<sup>3</sup> The only authorities of any real importance concerning the Muni-

cipia are Festus, s. vv. Municeps, Municipium, and Livy, vi. 26, vii. 19, viii. 14, 17, &c. See, also, Aul. Gell., xvi. 13. Some modern scholars are against the extended signification I have given to the name.



citizens of the higher class of the municipalities could, at any time, take upon themselves the full privileges of Roman citizenship by removing to the city where these were to be exercised ; although the emigrant, in such case, was always obliged to leave, at least, one son behind him, in order to support his house and perpetuate his name.<sup>1</sup> These various degrees of freedom, superior, in every respect, to those by which most of the colonies were distinguished, could not often have been granted, and must, in all cases, have been extorted from the conquerors by the necessity of consideration towards some of those they conquered.

There is, however, an episode in the disjointed history of the municipalities, which sets the spirit of the Romans towards the Italians in a better light. During the second consulship of Licinius Stolo,<sup>2</sup> hostilities were begun with the neighbouring town or state of Tibur, which, after eight years' continuance, resulted in the concession of apparently the most liberal terms<sup>3</sup> on the part of the Commonwealth, represented, of course, as having prevailed against its foes. The Latin war excited the people of Tibur, a second time, to arms ; and though they were then more completely overcome, the conditions of the treaty between them and the Romans were unusually forbearing,<sup>4</sup> and their city became a municipality of the most independent class. But not long afterwards,

<sup>1</sup> Liv., xli. 8.

<sup>3</sup> " Alioquin mitis victoria fuit."

Liv., vii. 19.

<sup>2</sup> A. C. 361. Liv., vii. 9.

<sup>4</sup> Liv., viii. 14.



and probably during the second war against the Samnites the people of the municipality were charged with infidelity of the cause of their conquerors. Though not a solitary fragment preserves the grounds on which they were accused, or the objects for which they might accountably have risked a position that, to many of their countrymen, must have been greatly enviable, the act of the Senate in answer to their protestations of attachment and integrity remains entire; and entire it may here be inscribed, as embellishing not only the relations between the victors and the vanquished in these weary wars, but likewise the spirit once existing in that body by which so large a portion of human interests was, in ancient times, controlled. The act runs as follows:—

“Lucius Cornelius,<sup>1</sup> the son of Cnæus, Prætor, consulted the Senate on the third day before the nones of May, in the temple of Castor. Present for inscribing [the act], Aulus Manlius, the son of Aulus, Sextus Julius, Lucius Postumius, the son of Sextus. The Senate hath considered, as was fitting, how ye, people of Tibur, have made your deposition, and from what ye have cleared yourselves. And we have heard you just as ye declare ye have addressed us. We did not imagine these things to have happened: the more, because we were sure that ye could not have done them for any fault on our part; that, besides, ye were not such as would do them; and, further, that it would be of no advantage to

<sup>1</sup> Niebuhr thinks this to have been the Lucius Cornelius Scipio Barbatus, whose sarcophagus and epitaph are so familiar.





you or to your state to do them. Since the Senate hath heard your address, so much the more do we believe, as we before believed, that ye have done no wrong. And as ye stand blameless before the Senate, we trust, and ye yourselves must trust, that ye will also stand blameless before the Roman people."<sup>1</sup>

The Senate which could pass an act so wise and so generous as this, was worthy to have the government of Italy. There are no further details concerning its adoption at Rome, or its reception at Tibur; but the unchanging faithfulness of that municipality in after years may be taken for a sign that the conduct of the Romans towards some of their subjects was not always undeserving of a nation calling itself free.

But there is no other dependent city of whose good fortune so sure a proof remains; while it is very certain that the inferiority of the municipal institutions was keenly felt and bitterly resented by those who lived beneath them,—yet not, perhaps, till later times. The political system of the colonies prevailed in the municipalities, those, of course, being excepted that were governed by their peculiar laws or officers; with this difference, however, even in the case of those which adopted or submitted to the Roman forms, that the Decurions and the higher magistrates of the municipalities were, generally

<sup>1</sup> The original is in Orelli, Inscript. Lat., 3114. It is quoted by Niebuhr (vol. III. note 466), who says that the brazen table on

which it was inscribed was found at Tivoli, the ancient Tibur, in the sixteenth century.



speaking, of greater consideration,<sup>1</sup> because of greater independence, than the corresponding functionaries in the colonies, where, as the reader may be reminded, but few public, and sometimes but few private, rights of citizenship were procurable. On the other hand, the residents in the municipalities were subject to equal exactions, and, in very many instances, to much greater separation<sup>2</sup> from the metropolis.

Many, both of the municipalities and of the colonies, especially in the latter period of the Commonwealth, were placed under the superintendence of a Prefect, sent out annually from Rome, with plenary powers of administering justice in the towns, which were hence called Prefectures, though they still appear to have retained, in part, their ancient privileges and institutions.<sup>3</sup> Various names<sup>4</sup> appertain to other communities which seem to have been too small to be dignified with the title of colony or municipality; the rights of their inhabitants being likewise inferior to those already defined.<sup>5</sup>

<sup>1</sup> The epithets, however, applied to the Ordo Decurionum, such as Amplissimus (Cic., Pro Cœl., 2) and Splendidissimus (Orelli, Inscript., &c., 3164), pertain both to the municipalities and the colonies. See, in this connection, Liv., xxxiv. 7.

<sup>2</sup> "Qui ea conditione cives Romani fuissent, ut semper rempublicam separatim a populo Romano haberent." Festus, s. v. Municipi.

<sup>3</sup> The Prefect took the place of the Duumvirs, perhaps of other municipal or colonial magistrates. Festus describes the office and its varieties at some length, s. v. Præfectura. See Liv., ix. 20, xxvi. 16.

<sup>4</sup> The Flora, the Conciliabula, the Vici, and the Castella. See Festus still.

<sup>5</sup> See Savigny, Hist. Rom. Law in the Middle Ages, Vol. i. ch. 2.



We may now pass to those estates, if so they may be styled, of the conquered, distinguished by more independent names. The Latins, more or less connected, as we have seen, with the Romans from the earliest period, and afterwards overthrown in the great war which has been also mentioned, were, for the most part,<sup>1</sup> endowed with the privileges of the municipalities or else received into the Tribes of Rome. If any nation, after the conquest of Italy, preserved the appearance of independence, it was this, however real were its dismemberment and its actual dependence.

A large number of the more remote people in the Latin and even in the Italian territories were, together with the Latin colonies, comprehended under the common appellation of the Latin Name, by which they were distinguished from the proper Latin nation.<sup>2</sup> The union of these towns or districts, in which various as well as widely separated races had their habitations, would have been as impracticable as it was arbitrary, but for their common subordination. Only a portion of the private rights<sup>3</sup> pertaining to Roman citizenship were bestowed upon them; and although they might elect their own magistrates, and in some cases preserve their own laws,

<sup>1</sup> Livy's account (VIII. 14) embraces the whole.

<sup>2</sup> Perhaps originally applied to what was called New Latium, in contradistinction to the Old. See Beaufort, *Rép. Rom.*, Livre VII. ch. 1.

<sup>3</sup> The *Commercium*, or the right of property. The magistrates of these communities were admitted to the more general rights of citizens. *Gaii. Instit.*, I. sect. 96; a reference which may apply to the later class of Latins. See book III. ch. 3.



they were seldom, if ever, allowed to set their limits upon the services they were bound to render. The condition of the Latin colonies, heretofore described, would exactly match that of the entire Latin Name, but for the fact that many of the colonies were invested with superior privileges as citizens.

The Latin Name, as an inferior estate to the conquered people, whose lot has been previously recounted, was generally joined with the allies<sup>1</sup> in the enumeration of the subjects whom Rome obtained in Italy. The union of the latter, like that of the former class, with the Romans, would be more appropriately termed a surrender instead of an alliance; a large extent of their territory being generally seized, and the services required from the Latin or the colonist being augmented rather than diminished in respect to the allied state. Nor was the preservation of their laws and governments available to secure the so-called allies against complete submission; and it is singular to remark, that they who had the title of Free<sup>2</sup> were less independent than those called the Federate Allies,<sup>3</sup> in respect to the common head of all. Even the forms of the institutions which they were permitted to observe were often altered by influences they could not escape, or by open commands they dared not disobey; and it sometimes seems as if the Roman policy had been pursued to disgust the Italian allies, with whom alone we are here concerned, to such a degree, as to make them seek

<sup>1</sup> "Socii [ac] nomen Latinum."  
Liv., XXI. 55, &c.

<sup>2</sup> Socii liberi.

<sup>3</sup> Socii fœderati.



incorporation in the Commonwealth on the same nominal terms to which others were reduced before or after them. It may often have happened, in consequence, that a people would, as of its own accord, subscribe their allegiance to the great Roman dominion.<sup>1</sup>

The disasters of Volsinii, a renowned Etruscan city,<sup>2</sup> soon after its submission and alliance to Rome, are among the instances, which might have been oftener recorded than they were, of the evils from which many of the allies must have suffered. After their conquest, the Volsinians fell victims to luxury and indolence, which it was harder for them to resist, in the day of their degradation, than it had ever been, in the day of their independence, to withstand the Roman arms. Through means and for purposes of which there is no clear account,<sup>3</sup> the slaves of the city were liberated and elevated, while the masters sank into the former condition of the slaves, who, as was natural, ran riot in the midst of enormities it is useless to describe. The helpless Volsinians sent secretly to Rome for aid; and though an army under the command of Fabius Gurgus, then Consul for

<sup>1</sup> This was called "Fundus fieri." Cic., *Pro Balb.*, 8. But it is a condition hardly to be distinguished from that of the *Socii Fœderati*, mentioned in the preceding note. It was an entirely different affair when an allied or a subject state adopted a single law. See Cic., *loc. cit.*, and consult Heinecc., *Antiq. Rom.*, *Adpend.*, *Lib. i. cap. 2*, sect. 88.

<sup>2</sup> "Erat opulenta, erat moribus et legibus ornata, &c." Val. Max., ix. 1, sect. 2.

<sup>3</sup> Zonaras (viii. 7) says the administration of public affairs was abandoned to the slaves, because of the indolence of their masters. Cf. *De Vir. Illust.*, xxxvi.



the third time,<sup>1</sup> was able <sup>2</sup> to rout and punish the wretched creatures who had abused their freedom, it was more than any general or any army could achieve, to raise the sunken hopes or to reform the corrupted habits which, as natural results of conquest, had brought the Volsinians so low.

The time was at hand when the dominion of Rome and the degradation of her subjects were coextensive throughout the heathen world. The desolation of the vanquished was not the less the consequence than their submission was the beginning of the triumph to which the victors were called amongst the ancient nations. But the Italians, of whom a large number were to serve with the Romans, and as the Romans, in the career of conquest and abasement of which the first steps had been taken when the settlers on the Palatine fought for the Capitoline hill, were not, of course, so much the objects as the instruments of the afflictions yet to be wrought in the name of Rome. It seemed enough that they should be reduced to strict dependence, but, at the same time, induced to seek a nearer connection with their conquerors rather than to desire a dissolution of their bonds. We have seen how thoroughly they were humbled ; we have yet to watch the effects of their new situation, and to learn if the old homes and the laws of their fathers will be forgotten in the wider prospects opening before them, though they stood below, and not

<sup>1</sup> A. C. 265. Florus, i. 21. Zonaras, viii. 7.

and the loss of their general. Florus and Zonaras, *ut supra*.

<sup>2</sup> Though not without difficulty



upon, the seven hills. The words on the tomb of Scipio,—“He took Taurasia, Cisauna in Samnium, he subsued all Lucania, and *brought away hostages*,”<sup>1</sup>—read like a prophecy respecting the submissiveness of the Italians.

<sup>1</sup> “Taurasia Cisauna

Samnio cepit, subigit omne Loucana, obsidesque abdoucit.”

Orelli, Inscr. Lat. 550.



## CHAPTER XII.

## THE WARS WITH CARTHAGE.

"It is easy to imagine.....all men raising their spirit to a height too proportionable, as though they should now go through all the work without farther opposition."—CLARENDON, *Hist. Rebellion*, book VII.

"The ruin of the goodliest pieces of the world foreshews the dissolution of the whole." RALEIGH, *Hist. World*, pt. I. book v. ch. 1. sect. 2.

DURING the last years of the Italian wars, when the power of the Commonwealth was fast increasing, and the courage of its enemies was faster failing, there occur several instances of intercourse with foreign nations, as if glances were already sent abroad for greater victories than had yet been achieved. On one occasion, an affront to some ambassadors from Apollonia<sup>1</sup> was expiated by the delivery of the offenders, though a Senator and an Ædile,<sup>2</sup> in order, apparently, to prove the honour of the Romans in sight of strangers. At another time, an embassy was despatched as far as Egypt to contract an alliance proposed by the Egyptian monarch; and the distinction of the citizens<sup>3</sup> selected for the mission tes-

<sup>1</sup> On or near the Grecian shore, opposite to Italy.

wise enough to return their prisoners unharmed.

<sup>2</sup> A. C. 266. Zonaras, VIII. 7. Liv., Epit. xv. Val. Max., VI. 6, 5. The people of Apollonia were

<sup>3</sup> A. C. 275. The three were Fabius Gurges, Q. Ogulnius, and Fabius Pictor (son of the artist). Val. Max., IV. 3. 9. Liv., Epit. XIV.



tifies to the same desire on the part of their countrymen, whether this be interpreted as vain-gloriousness or wiser appreciation of the relations which could be formed with distant people. Earlier still, and before the conclusion of the contest with Pyrrhus, the ancient league with Carthage was renewed;<sup>1</sup> although, in the same spirit that prompted alliance with Egypt and atonement to the Apollonians, the proffered aid of a Carthaginian fleet off Ostia had but just before been instantly refused.<sup>2</sup> The first war beyond the confines of Italy was with the same nation whose alliance had been firmly maintained through many preceding centuries; and the manner in which the league was broken and the conflict won must be the first chapter in the dreary history of foreign warfare to which the temper and the strength of the Romans were now fully trained.

The account of Phœnicia in the earlier part of this work would serve, in many points, for a description of the great colony at Carthage, whose independence outlasted that of the mother land. The same creation of a new class, as it may be called, in contrast with those other classes, of slaves or warriors or priests, with which the earth had been previously peopled, arising from similar enterprise, and then drooping in similar corruption, is to be observed amongst the Carthaginians as amongst their progenitors; but there is a distinction to be made. While the habits

<sup>1</sup> A. C. 279. Polyb., III. 25. A clause was introduced with reference to the existing war.

<sup>2</sup> Val. Max., III. 7. 10.



of life and the forms of government in Phœnicia were advances upon the institutions and the occupations of earlier origin in the Eastern world, the same forms and the same habits existing some centuries afterwards at Carthage were behind, instead of being before, the age in which they still endured. Hence various consequences, so far as we are entitled to put any construction upon the disjointed information we possess, appear to have ensued. The commerce of Carthage was pursued abroad with weapons as much as with sails or merchandise, while her merchants at home not only were her rulers, but became a sort of caste, beneath which, however divided it might be in itself, there was no people or lower order fit to rise. At the same time, the faith which drove the Phœnicians into sins and terrors, though it weighed too lightly, comparatively speaking, upon the Carthaginians to keep them actually prostrate before any fears, was strong enough to drag them into the midst of sacrifices even more horrid<sup>1</sup> and deeds even more dreadful than those tolerated in the land their ancestors had left behind. Materials would fail,<sup>2</sup> even if it were here incumbent to attempt a picture of the majestic city and the arrogant citizens of Charthage; but it will be adequate to the design of the present history to observe, that the system which bore the name and which determined the fate of the great enemy of Rome was characteristic, not merely of an epoch anterior to that represented by the Roman,

<sup>1</sup> Diod. Sic., xx. 14.

<sup>2</sup> See, however, ch. xxxix of Arnold's History.



but, moreover, and especially, of an age which, without comparison with any other, was evidently beyond its prime and in its degeneracy.

The policy of Carthage, as a maritime state, to bring the people around the Mediterranean into subjection, had long been in successful operation, when the Romans, hitherto occupied, as an inland nation, with the conquest of the races by whom they were surrounded, suddenly found themselves in possession of all the shores, and therefore eager to obtain the seas, of Italy. The precedence of the Carthaginians in achieving the conquest of many of the neighbouring islands, and, at that very time, in pressing the reduction of Sicily, was rather a spur than a preventive to the rivalry of the Roman Commonwealth ; and they who had eyes to see the prospect opening on either side must have beheld the waves stained with blood and the coasts overspread with wrecks and corpses in a coming conflict for the sake of supremacy in the Mediterranean. There were other impulses to combat ; but such as the mind of Roman or Carthaginian, though he were obedient to them, could not recognise.

The ambition and the principles which have thus been briefly depicted were soon brought into contact. A band of Italians, who, under the name of Mamertines, had got possession of Messana in Sicily, by treachery and massacre, some twenty years before, were, within a short period after the conquest of Italy, so hard pressed by the forces of Hiero, the king of Syracuse and the ally of Rome, as to send, though not with common consent, an embassy, imploring the



protection of the Romans.<sup>1</sup> Although the character of the Mamertines was little better than that of so many outlaws, while their enemy, Hiero, was a monarch distinguished in reputation, and stanch in fidelity to his alliance with the Commonwealth, the opportunity of obtaining a foothold in the island where the Carthaginians were carrying all before them was too strong a temptation to be resisted by the Romans ; and when the Senate returned a refusal to the suit of the Mamertine ambassadors, it was with such evident reluctance, that the Consuls of the year brought the question before the Tribes, in which no breath of opposition appears to have been excited against the course upon which the whole people were now resolved.<sup>2</sup> Meanwhile, or before the Romans could cross the straits, the forces of Syracuse had been withdrawn, in consequence of the introduction of a Carthaginian garrison into Messana ; and when this was expelled, on the admission of the troops from Rome, the siege of the city was begun by two armies, the one Carthaginian, the other Syracusan, Hiero, apparently,<sup>3</sup> having been driven into hostilities by the aggression of his former allies.

So commenced the first Punic war, as it is styled in history, which continued for two-and-twenty years.<sup>4</sup> The earliest advantage gained, the second year, by the Romans, in the return of Hiero to their

<sup>1</sup> Polyb., i. 10.

<sup>2</sup> Ibid i. 11.

<sup>3</sup> Polybius (loc. cit.) simply mentions the desire of the king to drive

out the Mamertines from Sicily, as the cause of his junction with the Carthaginians.

<sup>4</sup> A. C. 264—241.



alliance,<sup>1</sup> was followed by the fall of Agrigentum,<sup>2</sup> and, within a year or two more, by the first naval victory, won by Caius Duilius, in a novel but decisive manner, off Mylæ, on the northern coast of Sicily.<sup>3</sup> Four years later, Atilius Regulus being in command, the Carthaginian fleet was worsted near Ecnomus, on the southern shore, and Africa itself was invaded, though soon abandoned by the Roman army.<sup>4</sup> Before and after the African campaign of Regulus, the operations of Atilius Calatinus in Sicily contributed greatly to the encouragement of the Romans,<sup>5</sup> whose hopes were still more strengthened by the later victory of Cæcilius Metellus, at Panormus, in the North;<sup>6</sup> and though Hamilcar Barca, the great hero of all the war, came over not long afterwards,<sup>7</sup> and for five years kept the remnants of the Carthaginian dominion from falling into the hands of its enemies, the defeat of the admiral Hanno, near Ægusa, by Lutatius Catulus,<sup>8</sup> cut off the subsidies on which Hamilcar depended, and forced him to make, under authority received from home, the overtures of peace. It was finally decided that Carthage should pay a large sum of money, besides releasing her prisoners and evacuating Sicily, together with the immediately adjoining islands.<sup>9</sup> On the

<sup>1</sup> Polyb., i. 16.

<sup>2</sup> Ibid., i. 19. The siege lasted seven months.

<sup>3</sup> The novelty, which consisted in the use of boarding planks, is described by Polybius, i. 20—22.

<sup>4</sup> Polyb., i. 26. *et seq.* Florus, ii. 2.

<sup>5</sup> Polyb., i. 25, 38. He was the first Dictator who commanded beyond the limits of Italy. Liv., Epit. xix.

<sup>6</sup> Polyb., i. 40.

<sup>7</sup> Ibid., i. 56.

<sup>8</sup> Ibid., i. 61.

<sup>9</sup> Ibid. i. 62, 63.



other side, though the number of Roman citizens bearing arms was diminished by more than forty thousand,<sup>1</sup> the losses and the fears of the conflict were compensated a thousand-fold by the hopes and the triumphs which had been acquired. The first blast of the trumpet blown abroad had brought the enemies of the Commonwealth to their knees ; and it was of little concern in Rome, that her own breath should have been almost too severely tried.

As well as we can penetrate within the folds which are scarcely moved aside by history from the daily lives of the Romans through this eventful contest, we see all classes devoted to the one great purpose of victory over the Carthaginians. The rich gave their money,<sup>2</sup> the poor their service, the skilful their knowledge, and the brave their strength<sup>3</sup> to the common cause, in which the citizen Romans, fresh as they were with their recent conquests, did not seem to outdo the subjects or the allies, whose energies were stimulated by the memory of their late defeats. The longings which some must have felt for peace, when a fleet returned without the kinsmen or the friends whom it had borne away, were hushed ; and the impulse to which others would have yielded in

<sup>1</sup> It appears that there were 292,224 returned by the census of A. C. 262 ; but only 251,222 by that of A. C. 242. Liv., Epit. xvi., xix.

<sup>2</sup> As when the fleet was prepared, by which Catulus conquered at Ægusta. Polyb., i. 59.

<sup>3</sup> As when the military Tribune,

whose name is left uncertain, led four hundred followers to certain destruction, in order to save the army to which they belonged. Cato, after whom the story is related, compares the heroism of the action to that of Leonidas at Thermopylæ. Aul. Gell., iii. 7. Cf. Liv., Epit. xvii.



harping upon political disputes was weaker still, at a time when most men were determined to be united. A Plebeian, Tiberius Coruncanius, was elected Chief Pontiff because of his proficiency in the lore upon which the functions of the office were dependent; and he, in return, instructed those who wished to learn in some of the knowledge he himself possessed.<sup>1</sup> On the other hand, the men in high places who were inefficient or lukewarm in their duties were visited, not merely with censure, but with degradation; and the record is preserved of thirteen Senators and forty Knights who were stripped of the honours they knew not how to wear.<sup>2</sup> It was in such times, when the sword was sharpened in every house, and a camp pitched upon nearly every field, that the liberty of the Romans seemed to assume its highest vigour, raising the worthy, humbling the unworthy, yet making claims that many a man could have satisfied only by blood or bitter tears.

One singular instance<sup>3</sup> of the subserviency required of the highest as well as the lowest classes is

<sup>2</sup> Digest. Lib. i. tit. ii. 2, sect. 35—38. Liv., Epit. xviii.

<sup>2</sup> The reason for the degradation of the Knights is expressly stated as having been their neglect of military duties in Sicily. Val. Max., ii. 9, sect. 7. Liv., Epit. xviii.

<sup>3</sup> Others, however, are also recorded: as in the conduct and sentence of Claudia, Claudius Pulcher's sister, Liv., Epit. xix.; the punishment of Aurelius Pecuniola, Val.

Max., ii. 7, sect. 4; and that of Q. Cassius, Zonaras, viii. 14. So the Consul Aulus Postumius could not take the field because he was the Flamen of Mars. Liv., Epit. xix. The familiar story of the return and the steadfastness of Regulus, the invader of Africa, is too doubtful to be given as history, but may be referred to in illustration of the spirit to uphold and to die for the laws. Liv., Epit. xix. De Vir. Ill., cap. xl.



preserved in the account of Publius Claudius Pulcher, the son of Appius the Blind, and the inheritor of even more than his father's self-relying pride. Having been elected Consul and invested with the command of the fleet in the year following the great victory at Panormus, he not only set out from Rome in defiance of unfavourable auspices,<sup>1</sup> but when, after putting to sea, he came near the ships of the enemy off Drepanum, he ordered the sacred chickens to be hurled into the waves, because their refusal to feed denied him good omens.<sup>2</sup> Defeated in the action which ensued, he was presently recalled by the Senate, who ordered him to name a Dictator in his stead; and finding he had to comply with their commands, as with the will of the whole people, he gave way again to his passions, and nominated one of his dependants, the son of a freedman.<sup>3</sup> The appointment, however, was instantly set aside, and Claudius himself was brought to trial before the people, and by them condemned for treason to the Commonwealth.<sup>4</sup>

It is not mere reasoning, but actual though greatly defective history, that suggests some proportion between the melioration of the inferior orders and the obligations laid by zeal or by necessity upon their superiors. The slave might be more kindly treated by the master whose liability to distant service obliged him to think, at least, of securing the

<sup>1</sup> Liv., Epit., XIX.

Glicia. Suet., Tib., 2. Liv., Epit.,

<sup>2</sup> Cic., De Nat. Deor., II. 3. XIX.

Suet., Tib., 2. Polyb., I. 52.

<sup>4</sup> Cic., De Divin., II. 33. Po-

<sup>3</sup> Named Claudius Glycias or lyb., I. 52.



faithfulness of his retainers. The artisan would profit by the incessant calls upon his labour, whether for the equipments of the departing or the luxuries of the returning soldier; and many of the classes hitherto excluded from the places they would themselves have sought amongst the warriors were enlisted in the fleets or in the armies of their countrymen. These things, perhaps, ought to be related only of the lower ranks in the city, or in its immediate neighbourhood, whose presumption would be excited, even if their elevation were not really produced, by their connection with the victors over so many people, both free and bond, as were now dependent upon the Commonwealth. But there is likewise proof that the improvement here noticed in the estimation of the inferior classes resulted in something better than the vanity or the warlike ardour of the slaves, the artisans, or the immigrants in Rome. A year or two before the close of the war, a new magistrate was appointed, under the title of Alien Prætor,<sup>1</sup> whose chief duty it should be to administer justice amongst the aliens, whether resident in the city or in the various towns<sup>2</sup> to which they belonged. Yet, in the midst of these happier prognostics, there comes a sound of clanking chains and dripping weapons; and the first combat of gladiators, ordered, it is told, by a son in

<sup>1</sup> "Peregrinus appellatus est ab eo quod plerumque inter peregrinos jus dicebat." Digest., lib. i. tit. ii.

2, sect. 28. The date, however, is uncertain.

<sup>2</sup> See Hugo's Hist. Rom. Law, sect. CLVIII. and note.



honour of his father's memory,<sup>1</sup> dispels the hopes of more than transitory consideration for the subject or the vanquished.

Immediately upon the peace with Carthage, two new Tribes,<sup>2</sup> principally of Sabine people, were added to the previous three-and-thirty; the number of thirty-five being thenceforward unchanged. New methods of bringing the conquered within the reach of their conquerors, instead of including them in the pale of citizens or allies, were begun with the formation of Sicily into a province;<sup>3</sup> the plan of which will be hereafter described.<sup>4</sup> For the present, though we have emerged from the limits of the first Punic war, it will be much more suitable to continue at once towards the second, lying at a distance of three-and-twenty years.<sup>5</sup>

Almost all events in Rome having any bearing on the subject of our history, during this interval, may be described under the single name of Caius Flaminius, who became Tribune eight or nine years after the peace. The notice of some previous prosecutions<sup>6</sup> concerning the occupation of the public lands throws light at once upon the encroachments of the rich and the desires of the poor at a season

<sup>1</sup> Val. Max., II. 4, sect. 7. Liv., Epit., xvi.

<sup>2</sup> Liv., Epit., xix.

<sup>3</sup> Appian., De Reb. Sic., Exc., II. Syracuse continued under the government of King Hiero; Messana was made an ally; and there were some other exceptions to the Roman rule.

<sup>4</sup> See ch. xiv.

<sup>5</sup> A. C. 241—218.

<sup>6</sup> Vell. Pat., I. 14.

"Sed jam de vetito quisque parabat opes....."

Jamque in privato pascere inertiis erat."

OVID., *Fast.*, v. 279—294.



when continued success in arms had brought an unusual accession to the extent of the national domains. It was not very long afterwards that Flaminius, then in his tribunate, produced before the Tribes a bill to effect a large assignment of land in some of the northern districts,<sup>1</sup> overrun in the contests to which we must presently recur. The opposition of the Senate was powerless against the authority imparted to the Tribes by the Hortensian law to pass whatsoever bills they pleased ; and though the father of the Tribune laid his commands upon his son to come down from the rostra, where he stood haranguing the people, and Flaminius actually obeyed,<sup>2</sup> yet the bill was then or subsequently passed.<sup>3</sup> There may have been other divisions of the spoils than that Flaminius obtained ;<sup>4</sup> and it is positively recorded that new colonies<sup>5</sup> were founded in various places, both to provide for the conquerors and to secure the conquests. Some consequences of wide-spread victories chiefly concerned the vanquished, such as raising the number of the Prætors from two to four, in order that the provinces might have their governors.<sup>6</sup> There were other changes which affected the conquerors themselves ; in the midst of which the same Flaminius bears the prominent part.

<sup>1</sup> Polyb., II. 21.

<sup>2</sup> Cic., *De Invent.*, II. 17. Val. Max., v. 4, sect. 5.

<sup>3</sup> "Contra Senatus auctoritatem." Cic., *De Senect.*, 4. Polyb., II. 21.

<sup>4</sup> Cæcilius Metellus, the commander at Panormus, is spoken of

as a "Quindecemvir agris dandis." Plin., *Nat. Hist.*, VII. 45. This, however, may have been before the peace.

<sup>5</sup> Liv., *Epit.*, xx.

<sup>6</sup> Sardinia being at this time another province. As for the Prætors, see *Digest.*, lib. I. tit. II. 2, sect. 32.



Some ten years, during which he had distinguished himself in military service, as well as by steadfast opposition, in various posts, to the extreme party, followed upon his tribuneship, and Flaminius was chosen Censor. In this capacity, he transferred the freedmen to the four City Tribes,<sup>1</sup> as Fabius and Decius had done almost a century before, and probably from the same motives by which they were actuated; although the factions no longer appear in equal distinctness as in the earlier period. A similar policy induced Flaminius, a year or two later, to join one of the Tribunes in proposing a law by which the Senators and their sons were forbidden to own any merchant-vessel of greater burden than the transport of produce from their near or distant estates required.<sup>2</sup> The law was aimed against the rich men, whose opportunities for gains had been largely augmented by the wars, in which not only had their crops being in great demand, but their adventures to remoter ports had possibly been alone successful, if we conceive, as is perfectly natural, that their ships were often allowed to sail under the protection of the fleets they commanded. In one point of view, the Senate had never been so popular a body as at the time they seem to have been thus restrained; the Plebeian members at present outnumbering, as is probable, the Patrician: nor was the circle of the

<sup>1</sup> Liv., Epit., xx. It was in the same censorship that he constructed the Flaminian Circus and the Flaminian Way.

<sup>2</sup> Liv., xxi. 63. The Tribune was Q. Claudius.



magistracies, whose lists are crowded with new names, less extended. Many things, however, and none more frequently than the diffusion of liberty, begin, and cease almost at their beginning.

There are few indications of any other spirit amongst the Romans than that which necessarily claimed, not merely prominent but almost exclusive, possession of their hearts, so long as the very trees of the unconquered country or the stones of the un-fallen town seemed to wear the look of enemies. The introduction of the drama, in the shape of a play composed by a freedman,<sup>1</sup> soon after the peace with Carthage, was regarded only as a new entertainment which the multitude merited, without any need on their part of especial appreciation. Meanwhile we may observe how the superstitions, that could chill the limbs and choke the breath of man with fatal vapours, still hung, as if immovable, in the atmosphere. When the wars of which we are yet to read broke out in the North, an old prophecy, that the city would, some time or other, fall into the hands of a second troop of Gauls, was remembered with exceeding terror. The valour of the troops and the knowledge of the generals sent forth against the enemy were deemed unequal to avert the evil omen; but that they and the people left behind might believe the oracle to be fulfilled, two Gauls, with two Greeks, one of either sex, were buried alive beneath the Forum.<sup>2</sup> The same spirit might shew itself in different

<sup>1</sup> Livius Andronicus. Cic., Brut., 18.      <sup>2</sup> Zonaras, viii. 19.



forms. When the Senate ordered the demolition of the temple built to the Egyptian Isis and Serapis, lest the strange deities should offend the gods of Rome, the labourers hesitated to lay hands upon the fane,<sup>1</sup> until the Consul, Æmilius Paullus, stepped forward and dealt the first blow upon the temple doors. The name of Æmilius must stand as that of the first Roman who, even unconsciously, began upon the greater work of destruction appointed to his country.

The conflicts to which several allusions have been made filled up the twenty-three years elapsing between the first and the second wars against Carthage, with but one intermission, when the gates were closed upon the image of Janus, and it was believed that peace had returned to Rome for the second time<sup>2</sup> since its foundation upon the Palatine. First came a campaign of six days against the Faliscan people,<sup>3</sup> who had been conquered by Camillus in the times of old ; and then, as if in continuance of the same associations, the Gauls in the North, and their neighbours of Liguria, appeared in arms.<sup>4</sup> At almost the same moment, the inhabitants of Corsica and Sardinia, which had been faithlessly wrested from Carthage since the peace, attempted in vain to deliver themselves from the new power by which they were held in subjection.<sup>5</sup> The Sardinians again rebelled within

<sup>1</sup> "Eaque nemo opificum attingere auderet." Val. Max., i. 3. 3.

<sup>2</sup> The first time of closing the temple was in the reign of Numa ; the third in that of Augustus. Liv., i. 19.

<sup>3</sup> Liv., Epit., xix. Polyb., i. 65.

<sup>4</sup> Liv., Epit., xx. Flor., ii. 3.

<sup>5</sup> Liv., Epit., xx.



the next few years, and though their island, as well as that of Corsica, was formed into a province,<sup>1</sup> the people continued to chafe and to resist until a much later period. The countries on the Grecian side of the Adriatic were also visited by a Roman army, sent out against Illyria,<sup>2</sup> and tempted farther southwards by easy victories; although Illyria itself was not decisively reduced until ten years afterwards.<sup>3</sup> The honours bestowed at a distance upon the invaders by Athens and Corinth<sup>4</sup> smoothed the later way of the Romans to the East; but for the present, the scenes of trial and victory and spoils lay in different directions. The great war of these intervening times arose when the tribes beyond the Po, joined by their kindred or their mercenaries from the other side of the Alps, combined<sup>5</sup> in one vast Gaulish host against the forces of the Commonwealth, and for several years continued their hostilities, to the great alarm of the Romans and their allies. Yet the battles with the Gauls, like those with the Illyrians or the Italians, were but sports, compared to those which soon followed against Hannibal.

Such sketches as have gone before are almost too meagre to introduce the great<sup>6</sup> contest in which the

<sup>1</sup> Digest., lib. i., tit. ii. 2, sect. 32.

<sup>2</sup> Polyb., ii. 8, 11. Flor., ii. 5. Appian., De Reb. Illyr., vii.

<sup>3</sup> Polyb., iii. 16, 19.

<sup>4</sup> The Athenians gave their franchise to the Romans, and allowed them the privilege of initiation into

the Eleusinian mysteries. Zonaras, viii. 19. The Corinthians admitted the Romans to the Isthmian games. Polyb., ii. 12.

<sup>5</sup> Polyb., ii. 21 *et seq.* Flor., ii. 4.

<sup>6</sup> "Bellum maxime omnium memorabile." Liv., xxi. 1.



Romans were compelled to retreat from their conquests, and even to defend their homes.<sup>1</sup> But the magnitude and the extent of the warlike enterprises on which they seem to have been driven may have prepared us to read of strange reverses ; while the sensitiveness we have witnessed in supporting the laws they were allowed to institute and to obey may make it but a natural result that they should be upheld through the woes and the excitements of the seventeen years<sup>2</sup> for which the second Punic war continued. The means of deciding upon the strength which the liberty of Rome communicated to her people must be sought in some scenes from which a Christian heart would fain shrink back in sorrow.

Of the factions amongst the few in Carthage who had any place in either faction or citizenship, one was for the existing luxury and oligarchy, while the other maintained the necessity of more liberal government and more general energy. The disputes between them, which had not been quieted by the misfortunes of the war with Rome, nor even overcome by the greater dangers that ensued with the long-protracted rebellion of the mercenary troops and the African subjects of the city, broke out, it would appear, into fresh violence, when Hamilcar Barca, at the head of the comparatively liberal party, after having saved his country from utter shame in Sicily, and utter destruction in her own territories, made and carried his proposal of an expedition to

<sup>1</sup> "Pro Italia pugnandum." Liv., XXI. 42.      <sup>2</sup> A. C. 218—201.



Spain, where, as he undoubtedly declared, lay the only opportunities of repairing the recent losses and calamities. He had another, but a secret, aim ; and when he stood, as leader of the armament against Spain, before one of the great shrines in his city, a few years after the peace with Rome, the thought of revenge upon the only enemies who had triumphed over Carthage was at the beginning and the end of the plans on whose execution he was then departing. His prayers and libations for success were offered ; but, instead of withdrawing, he took his son, a boy but nine years old, and leading him up to the altar, where none but the god could hear, he bade him swear there should be no peace betwixt him and the Romans.<sup>1</sup> The boy was Hannibal ; and the war upon which we are entering was the keeping of his vow. Its fulfilment had been already begun. On Hamilcar's death in Spain, his son-in-law, Hasdrubal, succeeded to his post and enterprise ; and when Hasdrubal perished, three years before hostilities began with Rome, Hannibal, though still but young<sup>2</sup> to assume such an inheritance as that of his brother-in-law and father, obtained the command by the voices of the soldiers, who had witnessed his daring and his skill in Hamilcar's battles when he was a boy, and in the expeditions which were put under his own direction as he grew in years.

<sup>1</sup> Polyb., III. 11. Corn. Nepos, Hann., 2.

<sup>2</sup> Zonaras (VIII. 21) seems to have the right in giving him twenty-

six years. Nepos says (Hann., 3) less than twenty-five. But Hannibal was born A. C. 247, and it was now 221.



On the other hand, the Romans, who had taken the most treacherous advantage of the perils into which Carthage was brought by her mercenaries, were greatly concerned to hear of the advances made by the Carthaginian generals in Spain. At one time, they entered into a treaty with Hasdrubal, who consented that the river Ebro should be the limit of the Carthaginian dominions,<sup>1</sup> and that the independence of Saguntum in the South should be respected as that of a city allied to Rome.<sup>2</sup> But it was not so easy to deal with Hannibal, who, immediately after his appointment by the soldiers was confirmed at Carthage,<sup>3</sup> began upon campaigns against several of the Spanish tribes, and in the next year but one laid siege to Saguntum itself, as if he desired nothing more than war<sup>4</sup> with the nation to whom he had sworn implacable enmity in his boyhood, and against whom his whole life had been spent in discipline. The fall of Saguntum provoked the open declaration of hostilities on the part of Rome,<sup>5</sup> and was soon followed by the astonishing march of the Carthaginian army across the Pyrenees and the Alps to the northern plains of Italy.

Six-and-twenty thousand troops<sup>6</sup> under a Carthaginian commander might well appear to the Romans

<sup>1</sup> "Utriusque imperii" is the expression of Livy, as if the Romans had been in possession of the country to the North. XXI. 2.

<sup>2</sup> Liv., *loc. cit.* Polyb., II. 13.

<sup>3</sup> Polyb., III. 13.

<sup>4</sup> "Ex quo die dux est declara-

tus, velut Italia ei provincia decretata, bellumque Romanum mandatum esset." Liv., XXI. 5.

<sup>5</sup> Liv., XXI. 18. Polyb., III. 33.

<sup>6</sup> 12,000 African and 8,000 Spanish foot-soldiers, besides 6,000 horse. Polyb., III. 56.



to be no match for the Consuls and the legions of their own great Commonwealth ; and there were few spirits so heavy as not to be stirred by the hope of instant and entire victory over the foe, who, after conquering Spain against their will, now dared to brave them on their own soil. The first encounter, however, with the invader, near the river Ticino,<sup>1</sup> made the Romans aware that he was formidable ; and the next engagement on the banks of the Trebia,<sup>2</sup> resulting in the complete defeat of two Consuls with both their armies, threatened nearer dangers than had been believed within the range of possibility. Hannibal, flushed with his rapid victories, and joined by large numbers of Gauls, allies as well as enemies of Rome,<sup>3</sup> sped on towards the prize he now not only hoped, but confidently looked, to gain. Caius Flaminius, the Tribune and the Censor, now Consul, dared to block up the way by Thrasymene ; but was slain himself, while his legions were scattered like “a forest felled by mountain winds.”<sup>4</sup> Keen blew the blast towards Rome ; and when the Senate had sat shivering from sunrise to sunset, they determined to screen themselves and the people by appointing a Dictator, to whom the charge they gave—that he should “fortify the walls and towers of the city,—post garrisons wherever might be proper,—cut down bridges across the streams,—and save Rome, at least,

<sup>1</sup> Polyb., III. 65. Liv., XXI. 46.

<sup>2</sup> Polyb., III. 73. Liv., XXI. 55, 56.

<sup>3</sup> Polyb., III. 77.

<sup>4</sup> See Byron's magnificent stanzas in *Childe Harold*, IV. 62—65. The ancient accounts of the battle are in Liv., XXII. 5—7 ; Polyb., III. 84.



if Italy could not be defended"<sup>1</sup>—reveals the consternation and the chill as wellnigh universal.

The Dictator elected to such a charge by the people<sup>2</sup> was Quintus Fabius, the great-grandson of the old hero Rullianus, and had twice before been Consul, once Censor, and once Dictator. The moment of his appointment was the first lull in the tempest which had broken upon Rome; and though the winds might rise and roar again, the calm was prepared in the distance. After ordering the religious supplications which he thought as necessary to his own success as to the spirits of his countrymen, the Dictator set out to delay the progress of Hannibal, who was pressing on from Thrasymene, across the Apennines and through Picenum, into Apulia. The calm steadfastness with which Fabius, worthy then of being called Maximus, the Great, pursued the only course he knew was practicable, is one of the magnificent results of Roman liberty. Refusing to risk another army in the open field, in entire disregard both of the provocation he had to bear from the impetuous Hannibal and of the discontentment he could not but inflame amongst his own soldiers, he hung upon the march of the Carthaginians, cutting off their supplies whenever he could, and escaping their retaliations whenever they were so goaded as to turn upon him, like hungered and tormented beasts upon a pursuer. The name of Cunc-

<sup>1</sup> Liv., xxii. 8.

unusual manner of his election.

<sup>2</sup> Or, as he was actually styled, Pro-Dictator, on account of the

Liv., xxii. 8. Polyb., iii. 87.



tator, which meant the Sluggard, when given him by an impatient army,<sup>1</sup> was interpreted as the Restorer by a grateful posterity.

There were many inducements, however, to persuade the Romans to break through the defensive system of Fabius, apart from their natural desire to efface the stains of defeat and invasion. No danger which could be brought upon them directly by the transitory successes of the Carthaginian army could possibly be compared with that of which they were reasonably afraid in consequence of Hannibal's policy towards their Italian allies. At the great defeat of Thrasymene, in which, as previously mentioned, he was aided by the northern tribes, he had dismissed all his captives but the Romans, bidding them acquaint their countrymen that Hannibal was not come to fight with the Italians, but with the Romans, and with them alone.<sup>2</sup> In the southern countries, whither he afterwards proceeded, Hannibal found many, not yet instructed in obedience to their mistress, to flock around his standard and increase his hopes of conquering, not Rome only, but Italy and the wide world. Humanly regarded, the question, whether the old civilisation should submit to Rome or to Carthage, depended upon the fidelity of the Italians in this hour of wavering between a kindred city which they did not love and a stranger race whom they might, perhaps, be brought to regard as their deliverers. The Romans and their nearer allies,

<sup>1</sup> See Liv., xxii. 14. Plut., Fab., 17. <sup>2</sup> Polyb., iii. 85.



knowing that the scale was quivering, believed that it could be inclined only by the weight of the sword heavy with gore, which should be first thrown in on either side.

Accordingly, the dilatory operations of Fabius were censured as being unwise,—next, as covering some vile designs,—and finally, as equally perilous to be continued, whether he were false or true in their suggestion. His Master of the Knights, by name Minucius Rufus, who had been foremost to complain of Fabius and to boast of himself, was then solemnly invested,<sup>1</sup> by almost universal consent, with equal authority to that of the Dictator in the defence of the Commonwealth. A battle with the Carthaginians soon ensued, under Rufus's command, and would soon have been followed by another defeat, had not Fabius hastened to his colleague's rescue and driven back the foes. Hannibal, foiled of his prey, exclaimed, in allusion to Fabius, that he had often foretold the breaking of the cloud so long hanging on the mountains;<sup>2</sup> while Rufus gave back his commission into the hands of the Dictator, and confessed that he, too, was conquered as well as saved.<sup>3</sup>

But the same temptations to more aggressive measures than Fabius and his supporters were willing to adopt soon caused the election of Terentius Varro, an honest but ignorant man, to the consulship, as if his vaunts had been accepted for realities. Of mean

<sup>1</sup> Liv., XXII. 25. Plut., Fab., 8, 9.

<sup>2</sup> Plut., Fab., 12.

<sup>3</sup> The scene, as related by Plutarch, is well worth witnessing. Fab., 13.



origin in the eyes of his countrymen,<sup>1</sup> and a warm adherent to the lower order of the Plebeians, Varro had made himself a popular, and, in many respects, a useful man, when he was suddenly lifted to a height where dizziness was unavoidable. It was but a year after the calamity of Thrasymene, yet Varro went forth, as if unwarned, and, though not unadvised by his colleague, Æmilius Paullus, his rashness was the occasion of death to Æmilius and to five-and-forty thousand Romans upon the fatal fields of Cannæ.<sup>2</sup> The hopes of Hannibal and the fears of Rome seemed to be fulfilled. Maharbal, the commander of the Carthaginian cavalry, urged his leader to march upon the city, and sup, as he might, within five days, in the Capitol;<sup>3</sup> but Hannibal knew that his triumphs, as well as Maharbal's promises, were still insufficient to lay his enemies prostrate; though two years were nearly gone since he descended from the mountains and smote the Roman outposts in the North.<sup>4</sup>

It was formerly the custom to include the victory at Cannæ among the battles which, glorious as they could have been made by feats of bravery or streams of blood, yet passed away without any other results

<sup>1</sup> "Loco non humili solum, sed etiam sordido, ortus: patrem lanium fuisse ferunt, ipsum institorem mercis, filioque hoc ipso in servilia ejus artis ministeria usum." Liv., xxii. 25. See further in 26.

<sup>2</sup> Without counting the allies. See the mournful lists in Liv.,

xxii. 49, and Epit., xxii.; Polyb., iii. 116; and read Plutarch's account in the Life of Fabius, 15 *et seq.*

<sup>3</sup> Liv., xxii. 51. Polyb., iii. 118.

<sup>4</sup> Ticino, A.C. 218; Thrasymene, 217; Cannæ, 216.



than the agonies of their dying or their living victims. But though it has more recently appeared that the defection of the southern Italians and the surrender of Capua to Hannibal were quite abundant fruits for any conqueror to gather, it is equally evident, on the other hand, that the consequences which might reasonably have been expected to follow from such a day as that of Cannæ were totally, though not perhaps immediately, frustrated by the resolution and the activity of the Romans. Bitter and entire as had been their overthrow, it was, nevertheless, like the last actual crash of the storm, whose muttering, however, was still to be continued.

A small remnant, consisting of about five thousand men, escaping the slaughter of the great Roman army, took refuge in the neighbouring town of Canusium. Some of the younger Patricians, under the lead of Cæcilius Metellus,<sup>1</sup> were urging the expediency of quitting Italy and abandoning Rome to its miserable end ; when one, younger than all the rest, and accustomed only to unfortunate service, as by the Ticino, where his father commanded, and now at Cannæ, where he had held some subordinate office, broke in, with all he could persuade to arm themselves and follow him, upon the conspirators. It was Publius Cornelius Scipio. "I swear," he cried, waving his drawn sword before the eyes of Metellus and the rest, "that I will neither forsake my country myself, nor suffer any other citizen of hers to do

<sup>1</sup> Son of the conqueror at Panormus, p. 110.



so !” And the oath he made was at his command repeated by every one of those who were just before prepared to swear to faithlessness rather than fidelity.<sup>1</sup>

The feeling of devotion to the Commonwealth was strengthened, instead of being enfeebled, by its disasters. Varro, the Consul, who did everything he could to save his army after he had once drawn it into peril, and who fled from the fatal field only when all was lost, joined the survivors at Canusium with some followers he had preserved or led away. He then wrote to inform the Senate that he was there with about ten thousand men who had escaped destruction, like scattered planks, as he expressed it, from a shipwreck, and at the same time to assure the people that Hannibal could not yet march against them.<sup>2</sup> The Senate, under the counsels of Fabius,<sup>3</sup> were already engaged in repairing the devastations of the thunderbolt that had fallen upon them, not entirely unawares. Disorders arising within the city were instantly allayed ; and even the period of mourning for the dead was limited to thirty days, in order that the sacrifices and the festivals of the year might not be too long interrupted.<sup>4</sup> One citizen, Claudius Marcellus, was sent to take command of the broken forces at Canusium ; another, Junius Pera, was named

<sup>1</sup> Liv. xxii. 53. Val. Max., v. 6, 7. Dion Cass., *Fragm.*, xliv. 1.

<sup>2</sup> Liv., xxii. 54. Dion Cass., *Fragm.*, xliv. 2.

<sup>3</sup> “On him straightway,” says

Plutarch, “the remaining hopes of Rome were all reposed, and to his prudence recourse was had, as to a sanctuary or altar, for protection.” *Fab.*, 17.

<sup>4</sup> Liv., xxii. 56.



Dictator in order to hold the enlistments which were now urgently required. Eight thousand slaves were bought at the public expense, to be emancipated and armed ;<sup>1</sup> six thousand debtors and criminals were liberated or discharged, in order that their services, likewise, might not be lost ;<sup>2</sup> while to the common recruits from the city itself, the colonies, the municipalities, and all the allies, were added boys younger than seventeen, in order to complete the numbers of the legions. At the same time that these troops were thus raised and then armed from the trophies of former wars, the Senate refused to ransom the captives whom Hannibal had taken,<sup>3</sup> and went so far, soon after, as to order the remainder of Varro's army to be led into Sicily, where it was directed to serve while the war continued.<sup>4</sup> When Varro himself returned to Rome, he received the thanks of the Senate for not having despaired of the Commonwealth ;<sup>5</sup> as if the defeat had been forgotten and his courage alone had been remembered. It appears that the spirits of the people were revived to such a point, that the possibility of future losses like those which had been sustained was disbelieved ; yet, to make the victory sure, Fabius Pictor, the earliest Roman historian, was sent to seek inspiration at Delphi,<sup>6</sup> and the

<sup>1</sup> Liv., xxii. 57.

<sup>2</sup> Ibid., xxiii. 14.

<sup>3</sup> Ibid., xxii. 60, 61. It was not the first time that the Senate denied concern for the fate of those who had been taken captive. See the case of the prisoners with Pyrrhus, Val. Max., ii. 7, 5. The

story of the survivors from Cannæ generally may be traced in Liv., xxiii. 31, xxv. 6, xxvi. 1.

<sup>4</sup> Liv., xxiii. 25.

<sup>5</sup> Ibid., xxii. 61.

<sup>6</sup> Appian., De Bell. Ann., 27. Liv., xxii. 57.



burial of Gauls and Greeks alive beneath the Forum was again performed.<sup>1</sup> Where perils could thus be anticipated and griefs be thus rejected, the victory and the sting were plainly fated to remain.

The character of the contest was changed after the battle at Cannæ, and a period of nine years, which may be marked as the second part of the war, followed,—with alternations, indeed, of defensive and offensive operations, but with very decided proofs of greater security on the part of the Romans and of greater restraint on that of the foe, whose first impetuous victories had promised immediate and universal triumph. The conflict that had hitherto seemed staked upon the talents of the generals in command of the armies on either side, and that had apparently brought the Romans low because there was none amongst them to match their marvellous antagonist, now became a conflict between an army and a people, each with its allies; and no true Roman could have doubted beforehand, that an army, though commanded by such a general as Hannibal,<sup>2</sup> must finally retreat before a people of fortitude and freedom.

Every day made it more evident to the people and to their foes, that, though a field might be strown with Roman corpses, as at Cannæ, or though the gates of a city, like Capua, might be opened wide

<sup>1</sup> Liv., xxii. 57.

<sup>2</sup> The tribute of his Roman biographer confesses to his continued superiority even after the fortune of the war was turned.

“Quamdiu in Italia fuit, nemo ei in acie restitit, nemo adversus eum post Cannensem pugnam in campo castra posuit.” Corn. Nepos., Hann., 5.



before the Carthaginians, the way to Rome was none the clearer, none the shorter to pursue. The seat of war still lay in the South of Italy, where Claudius Marcellus, who was sent to take command of the wreck at Canusium, gained the first advantages,<sup>1</sup> and where the best generals of Rome were successively employed to cope with Hannibal, whose resources were more amazing in proportion to the difficulties by which he was encompassed. Such aid as he could gain from his Italian allies was both feeble and variable, compared with the support he actually needed ; and the loss of Capua,<sup>2</sup> followed by that of the great city of Tarentum, which he had also taken,<sup>3</sup> was the prelude of the requiem to his hopes. Before either city was recovered by his steadfast enemies, Hannibal marched upon Rome itself, and rode up with two thousand horsemen to the Capuan gate ;<sup>4</sup> but he knew<sup>5</sup> that it was not for him to lay low the towers which frowned upon him from the seven hills.

There were other enemies besides Hannibal for the Romans to meet, and other armies to support besides those their defence required to be maintained in Italy. The movements or the intrigues of the invader brought on one war in Sardinia, another in Sicily, and a third in Macedonia ; each of which was in it-

<sup>1</sup> Near Nola in Campania. Marcellus was then Consul. Plut., Marc., 11. Liv., xxiii. 46.

<sup>2</sup> Liv. xxvi. 14.

<sup>3</sup> Ibid., xxv. 9, xxvii. 15.

<sup>4</sup> Ibid., xxvi. 10. A. C. 211.

<sup>5</sup> The story, that the ground on which Hannibal lay encamped near Rome was sold at the very time for its full value, may have reached his ears. Florus, ii. 6.



self a drain upon the existing resources of the Commonwealth, until Sardinia was subdued, Syracuse taken, and Macedonia induced to conclude a peace.<sup>1</sup> Nor is the list of conflicts yet complete. At the time when Hannibal was on his way to Italy, an army was sent from Rome towards Spain, where its commanders, the brothers Publius and Cneius Scipio, were charged with the protection of the Roman allies and with the expulsion of the Carthaginian forces from the peninsula. Both the Scipios perished;<sup>2</sup> but their command was passed to other hands;<sup>3</sup> and though the successes of the Romans might sometimes have appeared to be unimportant, in comparison with the risks that were run in keeping a force on foot in Spain when there were so many nearer enemies, the enterprise was sustained by the conviction that Hannibal could never be driven from Italy before he and his countrymen were cut off from their Spanish supplies. Cornelius Scipio, son of the Publius lately slain, the same who was the hero of Canusium, and still a stripling, compared with the famous generals of the day, offered himself as commander in the war which most men avoided, as affording but little opportunity of renown to counterbalance the certainty of peril it involved; and though he had borne

<sup>1</sup> Liv., xxiii. 32, 33, 40, 41, xxiv. 28 *et seq.*, xxv. 31, xxix. 11, 12. Polyb., vii. 2, 9. The capture of Syracuse by Marcellus was the great event of the times. Liv., xxv. 24 *et seq.*, 31. The war there had ensued upon the acces-

sion of Hieronymus to the throne of his grandfather Hiero.

<sup>2</sup> Liv., xxv. 34, 36.

<sup>3</sup> Lucius Marcius (see Val. Max., ii. 7, 15, viii. 15, 11) and Claudius Nero; Liv., xxvi. 17.



only the office of *Ædile*, and that at an unprecedentedly early age,<sup>1</sup> Scipio was chosen *Proconsul*<sup>2</sup> and despatched to Spain. Neither his own confidence nor that of others in him was deceived; and the conquest of New Carthage, followed by the defeat of all the Carthaginian generals,<sup>3</sup> loosened for ever the dominion which had been founded by enormous efforts and relied upon for enormous returns.

It will not do to pass over in utter silence the necessities and the calamities which were felt amongst the Romans, while they were thus rapidly recovering from the shocks by which they had been more rapidly assailed when Hannibal broke into Italy. The skies were clearing; but the shadows cast by the clouds, and the chasms opened by the hail and the lightning, which were now passing away, were to be lamented until the generation that had witnessed them was no more. In the histories written at a later period, we are permitted to see only the public losses and the repairs which these received; yet in following the histories, in order to prove the energies and the resources of the citizens, the trials, and the endurance of the men are not to be forgotten, though they cannot be described.

The appointment of three commissioners, on account, as the historian remarks, of the want of money,<sup>4</sup> in the year of the defeat at Cannæ, and the

<sup>1</sup> See the account of his election in Liv., xxv. 2.

<sup>2</sup> Liv., xxvi. 18. Appian., *De Reb. Hisp.*, xviii.

<sup>3</sup> Polyb., x. 15. Liv., xxvi. 46, xxviii. 14, 15.

<sup>4</sup> Liv., xxiii. 21.



embassy soon after sent to Egypt for the purpose of procuring corn,<sup>1</sup> reveal the private as well as the public distresses that were experienced, and the efforts made in their alleviation. Yet, whatever were the necessities of individuals, those of the Commonwealth were always the first to be supplied. After the full brunt of the invasion had been borne, the Senate determined that the tax upon houses and lands should be doubled ;<sup>2</sup> and at nearly the same time, a consular proclamation was issued, with the Senate's consent, that all the corn of the year, whether ripe or unripe, should be conveyed from the fields before a certain day,<sup>3</sup> to prevent it from going to feed the enemy, though the proprietors might be impoverished by its early gathering. On one occasion, commissioners were appointed to proceed through the various cities and towns of Italy, in order to bring out all the recruits that could be had, both under and over age.<sup>4</sup> At another time, when seamen were needed, and the treasury was too much exhausted to provide for their support, an act of the Senate directed the Consuls to call upon all the richer citizens to find the sailors and their wages ;<sup>5</sup> and the fleet was soon at sea. A few years later, the demands upon private fortunes for the like purpose were renewed ; but in the interval so much had been suffered, that there was no longer the same readiness to furnish the men or the supplies required ; and if the

<sup>1</sup> Polyb., ix. 44.

<sup>2</sup> Liv., xxiii. 31.

<sup>3</sup> Ibid., xxiii. 32.

<sup>4</sup> Ibid., xxv. 5.

<sup>5</sup> Ibid., xxiv. 11.



charge was made a general one, as it almost appears, the murmurs of the people that they had only the bare and untilled ground to give were nothing strange. Yet all men knew, as well as Senators or Consuls, that, without a fleet, there could be no defence against Carthage or Macedonia, no protection of Sardinia and Sicily ; and when, at the suggestion of Valerius Lævinus, one of the Consuls, the Senators brought in their coin and plate to set an example, instead of resorting to further edicts or requisitions, there were few or none who did not imitate them and make their offerings likewise.<sup>1</sup> These were the resources of Rome ; and they were fully sufficient to parry and return the blows of any invader, were he ten times Hannibal.

Nor were such measures as relieved the Commonwealth of its pecuniary or its military wants the only ones that contributed to its success. Among the most memorable incidents of the present period was the dictatorship of Marcus Fabius Buteo, elected in the year of Cannæ to that office, as the oldest of those who had been Censors, in order to fill the vacancies occasioned in the Senate by the recent disasters. A proposal to admit some of the eminent men among the Latin people to the empty places had been made ;<sup>2</sup> but the surviving Senators united in opposing it, and probably in obtaining the nomination of Fabius Buteo. Appointed without any Master

<sup>1</sup> Liv., xxvi. 35, 36. The account in Val. Max., v. 6, 8, is full of animation.

<sup>2</sup> Liv., xxiii. 22.



of the Knights, and at the same time that another Dictator, formerly mentioned, Junius Pera, was in the field, Fabius came into the Forum to fulfil his duty. First addressing the people, in order to remove any doubts they might have had about his views in a matter of such importance as was intrusted to him, he ordered the list of the present Senate to be recited aloud, and then proceeded to elect, in the place of the deceased members, one hundred and seventy-seven from those who had held any high offices or signalised themselves by any especial merit since the last formal election by the Censors. This being done with great approbation on all sides, says the historian, Fabius resigned the office which had been given him for the usual term of six months; and descending from the rostra as a private citizen, he would have slipped away amongst the crowd, had they not watched him and attended him home with every mark of honour and of gratitude.<sup>1</sup> There is no scene more characteristic of all the history in which we are engaged than that of this election, in which the laws of Rome were as humbly observed, on the one hand, as, on the other, the claims of her subjects, like those of the Latins to be Senators, were proudly rejected.

Another name of distinguished associations is that of Tiberius Sempronius Gracchus, who, after serving as Master of the Knights with Junius Pera, was elected Consul. In that capacity he received under his command, besides a goodly number of allied

<sup>1</sup> Liv., XXIII. 23.



troops, a force of some eight thousand slaves, who had offered themselves as volunteers;<sup>1</sup> and on joining his army, his first care was necessarily to unite its various ranks, as though their length of service and their condition of life had been the same.<sup>2</sup> In this noble purpose he so completely succeeded, that he was able to carry on his operations in Campania with great success; and at the end of the year, the command of the slaves, formed into two legions by themselves, was continued to him as Proconsul.<sup>3</sup> He soon marched to Beneventum, and on the approach of the Carthaginian general, Hanno, Gracchus sallied forth with some soldiers of higher standing, besides the slaves, to whom he, with the previously obtained consent of the Senate,<sup>4</sup> promised their freedom, if they did their duty in the impending action. The forces of Hanno were so superior, that the issue of the engagement was for some time doubtful; but when the Proconsul ordered it to be proclaimed, that not a man should be set free, unless the enemy were routed, the slaves, "changed into other beings,"<sup>5</sup> drove all before them. Some who had behaved less valiantly withdrew apart by themselves, when the victory was won by their worthier comrades; but Gracchus called them all before him, and announced that every man who heard him was set at liberty, while those who had failed to do

<sup>1</sup> "Volones." Festus. Liv.,  
xxiv. 11. Cf. Val. Max., vii.  
6, 1.

<sup>2</sup> Liv., xxiii. 35.

<sup>3</sup> Liv., xxiv. 11.

<sup>4</sup> Ibid., xxiv. 14.

<sup>5</sup> Ibid., xxiv. 16.



their whole duty were condemned in penance to eat and drink standing, instead of sitting, so long as they continued in the army. Full of gratitude, the brave for their distinction, and the timid for their pardon, the army, no longer one of slaves, marched back to Beneventum to receive a welcome from the people there, and to rejoice<sup>1</sup> that they were free, as their fathers had been in more or less distant days.

The spirit which sustained the war with Hannibal, manifest in so many ways, was likewise proved by the manner in which the elections were conducted from year to year. At the close of his third consulship, following the disastrous year of Cannæ, Fabius Maximus returned from the army to the city, where the Centuries were gathered in the Campus Martius, to make choice of his successors under his presidency, according to the usual forms, except that, as the assembly was held without the walls, the Consul could pass into it with lictors and fasces, the signs of his absolute authority. As soon as he had opened the election, the Century called the *Prærogative*, because it was appointed by lot to ballot before the others, who then generally followed its example by declaring for the same candidate, gave its votes for two citizens, both respectable, but neither of them eminent for services or for capacities. The presiding Consul instantly interfered, bidding the people remember the

<sup>1</sup> "So pleasant was the sight of them," says Livy (xxiv. 16), in speaking of their rejoicings at Beneventum, "that Gracchus, after he returned to Rome, ordered it to

be painted in the temple of Liberty." The owners of the slaves refused to be paid for them until the close of the war. Liv., xxiv. 18.



exigencies of the times, and calling upon the Prærogative Century to reconsider the choice it had made. One of the candidates, Titus Otacilius, endeavoured to remonstrate against his rejection by the Consul's command, after the demonstration that had been made by his fellow-citizens in his behalf; but the power of Fabius, so long as the axe appeared in the fasces which his lictors carried, was more than any appeal could overcome, and Otacilius was obliged to be contented with a place in the prætorship, while Fabius himself and Claudius Marcellus were elected Consuls.<sup>1</sup>

A still more striking scene of the same sort occurred at the elections some few years afterwards. The Prærogative vote had been given for the identical Otacilius whose disappointment has just been related, together with Manlius Torquatus, an old Patrician of the highest dignity and consideration. But Manlius no sooner heard his name coupled with that of Otacilius, than he approached the tribunal of the presiding magistrate, and begged that the Century which had just voted might be recalled; and although congratulations were given him on all sides for this his third election to the consulship, he waived them aside, and, without alluding to the incompetency of Otacilius, desired simply to be excused on the score of his own infirmities, adding that the people must remember there were invaders in Italy whose chief was Hannibal. The impression made by the few words of Manlius resulted in the return of other men

<sup>1</sup> Liv., xxiv. 7—9.



as Consuls for the ensuing year.<sup>1</sup> Undoubtedly, the elections were controlled by a self-seeking oftener than by a self-sacrificing spirit; and the example of Fabius,<sup>2</sup> who favoured, was more likely to be imitated than that of Manlius, who opposed, his own elevation. The times required, as would be said, the best men; yet the repeated choice of a few citizens, leading them to believe in a sort of hereditary right that could be established to the public honours, led straight to consequences which we can at present conjecture, but may better observe hereafter.

The time, indeed, is still far distant when the institutions whose maintenance forms the principle point in our present history were unable to punish the transgressor, whether he were high or low, who lived beneath them, without being themselves brought into any apparent danger. Not even the excitement of the wars with Carthage could overcome the reverence which the Romans, generation after generation, had been trained to shew most profoundly under circumstances that seemed to dispense with it altogether; and they who yielded to the temptations or to what seem the necessities of the times were visited with the severest censure of the laws.<sup>3</sup> But the aspect of

<sup>1</sup> Liv., xxvi. 22.

<sup>2</sup> As when it was followed by Fulvius Flaccus, who, presiding as Dictator over an election, maintained that he himself should be voted for, though two Tribunes said nay. Liv., xxvii. 6.

<sup>3</sup> As in the cases of Postumius Pyrgensis, for public fraud, Liv., xxv. 3, 4; and Cneius Fulvius Flaccus, for alleged cowardice in command of an army, Ibid., xxvi. 2, 3. Compare the prohibition of strange religious rites, Ibid., xxv.



the nation, in its still continuing prime, is that of men who obey of their own accord, because they love, rather than because they fear, their laws, and must submit against their will. When the son of the great Fabius, elected Consul for his father's sake, was in the field, the old man proceeded to the camp, with the intent of serving amongst the lieutenants of the consular army.<sup>1</sup> As he rode up, the soldiers thronged to meet him, and with the rest came forth the Consul, attended by his lictors, to give his father welcome. Yet as Fabius continued his approach, without dismounting in the Consul's presence, his son sent one of his lictors to bid his father alight; at which the crowd stood wonder-struck that the greatness of their hero, says the biographer, should be so wronged.<sup>2</sup> But Fabius dismounted and hastened on foot to embrace his son, telling him he was right to respect and to enforce the majesty of the office which he held; so gladly did the father, even in Rome, give way to the greater authority of his country's laws. It was through this temper that liberty had been won, and was now defended, amongst the Romans.<sup>3</sup>

It has been already briefly observed, that the resolution which prevailed in Rome would have been unequal to the present contest with Carthage, had it not been supported throughout Italy by the allied and the dependent Italians. As we advance, it be-

1; yet see the account of the new games, *Ibid.*, xxv. 12.

<sup>1</sup> Liv. xxiv. 44.

<sup>2</sup> Plut., Fab., 24.

<sup>3</sup> As Milton says in his Sonnet to Vane:—

“When gowns, not arms, repelled  
The fierce Epirot and the African  
bold.”



comes apparent how much the division of the old races at the time of their conquest, by depriving them of their former peculiar associations and attaching them to the city of the conquerors, did actually contribute to the safety of the nation to whom they or their fathers had made submission. All the kindred<sup>1</sup> people, the Latins, the Sabines, and the Etruscans,<sup>2</sup> in their separate municipalities or colonies or subject towns, were more closely united to their metropolis by the very dangers that tempted the Samnites and most of the Southern Italians<sup>3</sup> to combine with the Carthaginians. When twelve Latin colonies returned word to Rome that they had no men or money left to furnish,<sup>4</sup> eighteen others were the more resolved to sustain the cause;<sup>5</sup> and not another colony or town was persuaded to waver with the twelve:—so sturdily clung the branches to the trunk, which could not yet be reft of its vigour and its stateliness!

While Claudius Nero, Consul in the eleventh year of the war, was at the head of an army, watching the enemy in the South, the despatches of Hannibal's

<sup>1</sup> Livy would say the more aristocratic:—"Unus velut morbus invaserat omnes Italiæ civitates, ut plebes ab optimatibus dissentirent; senatus Romanis faveret, plebs ad Pœnos rem traheret." xxiv. 2. Cf. xxiii. 1, 6, 20, 39.

<sup>2</sup> If the dreaded revolt of some Etruscans had any foundation, it had no consequences. Liv., xxvii. 21 *et seq.*

<sup>3</sup> The people of Neapolis and

Pæstum were faithful. Liv., xxii. 32, 36. So were those of Cumæ and Nola in Campania, and the Pentrians or Northern Samnites. Even in the revolted districts there might be colonists to stand fast.

<sup>4</sup> Liv., xxvii. 9.

<sup>5</sup> See the thrilling relation which Livy gives of the effect produced at Rome by the fidelity of these eighteen. xxvii. 10.



brother, Hasdrubal, announcing his expected arrival in the North with reinforcements from Spain, fell into the hands of the Romans. Claudius did not hesitate a moment as to the course which lay before him ; the misgivings which had been apparent at his election,<sup>1</sup> concerning the new invader and the lack of able generals to defend the Commonwealth,<sup>2</sup> were remembered, and the time of confirming or dispelling them was come. He therefore sent Hasdrubal's letters to the Senate, announcing, as he did so, his own determination to proceed with the flower of his whole army to join his colleague, stationed in the North, and strike down the Carthaginian before he could take a step farther into Italy. He also addressed his orders to the people through whose territories he would march to prepare provisions and means of transport by the road's side, so that there might be no delay to the work upon which his heart was set and the safety of his country was again at stake. The exertions that had been previously made for the campaign were crowned by the spirit of Claudius and of the entire people who still bore the name of Rome as subjects or as children. Even in the city, where nothing could be done to hinder or to help the sudden enterprise of the Consul, there was a hopeful rather than an anxious confidence, on the receipt of the intelligence he sent ; while through the country in his line of march, the zeal of the inhabitants to supply the necessities of the army as it pressed for-

<sup>1</sup> Liv., xxvii. 34.

<sup>2</sup> Gracchus and Marcellus were

both dead ; Fabius was too infirm to serve ; and Scipio was in Spain.



ward, was like the promise of victory before the foe was found.<sup>1</sup> The tide flowed back upon the invaders, who had crossed or hoped to cross upon dry ground; and Hasdrubal, dismayed by the united Roman armies, first sought to retreat beyond the river Metaurus, but was overtaken, and with his whole army, overwhelmed.<sup>2</sup> Claudius returned with the head of his fallen foe, which he ordered to be flung before the Carthaginian outposts; whence it was carried to Hannibal, who had looked for a sight of his brother alive and victorious, "I recognise," he said, "the fate of Carthage."<sup>3</sup> At Rome, the thanksgivings to the gods and the congratulations of the citizens proclaimed that the perils of the war were overcome at last.<sup>4</sup>

The year after the victory by the Metaurus, Scipio came back to Rome from five years' service as Proconsul, having left, as he told the Senate, not a single Carthaginian in Spain.<sup>5</sup> Being chosen Consul by the unanimous acclamations of the people, rejoiced to match a hero against their enemy, who still lingered in the South, Scipio declared he was elected in

<sup>1</sup> See the glowing narrative of the march in Liv., xxvii. 43—45.

<sup>2</sup> A. C. 207. Liv., xxvii. 48, 49.

<sup>3</sup> "Hannibal, tanto simul publico familiarique ictus luctu, agnoscere se fortunam Carthaginis fertur dixisse." Liv., xxvii. 51.

"Occidit, occidit  
Spes omnis, et fortuna nostri  
Nominis, Asdrubale interemto."

Hor., *Carm.*, iv. 4, 70—72.

<sup>4</sup> Liv., xxvii. 51.

<sup>5</sup> Liv., xxviii. 38. He had not only cleared Spain of the Carthaginians, but had crossed to Africa, and achieved an alliance with the king of a part of Numidia. He had also overcome an insurrection amongst several Spanish tribes, and a mutiny in the Roman army after his return to Spain. Liv., xxviii. 17—19 *et seq.*, 24 *et seq.*



order to conclude the war, and that the only means of fulfilling this universal expectation was to take the field in Africa and there stab Carthage to the heart. After great opposition, chiefly on the part of the Senate, the province of Sicily was assigned to the still youthful Consul, with formal permission, of which it was not intended that he should avail himself, to cross to Africa, if he thought it good for the Commonwealth.<sup>1</sup> He set sail forthwith for Sicily; but was obliged to tarry there until the following year, the third from the battle of Metaurus; when, followed by volunteers whose enthusiasm seconded alike his intrigues and his powers, he pressed the Carthaginians so hard that they were obliged to call back Hannibal. He, meanwhile, as if transformed from the springing to the crouching lion, had lain in wait, hoping, at first, that his younger brother, Mago, might reach him, though Hasdrubal had failed; and when this prospect proved illusory, he still remained close in his southern haunts, liking better to threaten the nation whom he could not conquer than rid them of the fears he could still arouse. When sent for, at last, from Carthage, to defend the home, if such it could be called, from which he had so long been absent, he is said to have scarcely refrained from tears. "I have been overcome," he exclaimed, "not by the people of Rome, but by my own countrymen;"<sup>2</sup> intending, with truth, to say, that the war had been carried on, in defiance of faction and indifference at Carthage, by the whelps, as Hamilcar

<sup>1</sup> Liv., xxviii. 46.

<sup>2</sup> Liv., xxx. 20.



Barca called his children,<sup>1</sup> whom he was rearing against his hated foes. Three hundred thousand Romans had perished<sup>2</sup> when Hannibal abandoned Italy, after having held a large portion of it for fifteen years.<sup>3</sup>

The last blows against the doomed and tottering Carthage were dealt within the next two years. All that could be wrought through buoyant faith or ardent energy was done at Rome, where the poet Nævius chanted the glories of the earlier Punic war,<sup>4</sup> and the image of the mother of the gods,<sup>5</sup> transported from Phrygia, in obedience to an ancient oracle, was enshrined with great rejoicings. Scipio achieved his part beyond the sea ; and the return of Hannibal, earnest as he was to defend the cause with which he and all his race had been identified, did not prevent the defeat of the Carthaginian forces at Zama,<sup>6</sup> sixteen years from the beginning of the war. It was then, at Hannibal's own persuasion, that peace was made.

The overthrow of Carthage was decisive, if not literally complete. Her walls yet stood ; the palaces of her rich men were still strown with luxuries, and the temples of her gods were still blood-stained with sacrifices ; but the little energy that had previously

<sup>1</sup> Val. Max., ix. 3, 2, Ext.

old age. Cic., De Senect., 14. See the following chapter.

<sup>2</sup> Appian., De Reb. Pun., 134.

<sup>5</sup> Cybele, the Idæan mother, as she was also called. Liv., xxix. 10 *et seq.*

<sup>3</sup> From A. C. 218 to 203. Fabius died in the latter year. Plut., Fab., 27.

<sup>6</sup> A. C. 202. Liv., xxx. 32 *et seq.*

<sup>4</sup> The poem was written in his

*seq.*



existed amongst her people was taken away. The Roman captives and deserters were delivered up; a large tribute in money and corn was promised; elephants and ships of war were surrendered; and it was furthermore agreed, that the Carthaginians should never resume their arms but with the consent of their conquerors.<sup>1</sup> So was the weaker tree lopped, that the stronger might have growth and space above the earth.

Fabius Maximus is said to have compared Hannibal to a flame that suddenly blazes and is as suddenly extinguished.<sup>2</sup> It was a truer, though not, perhaps, intended for a more generous, saying than those other reports which appear to have been current amongst the Romans<sup>3</sup> concerning the barbarity of their long-dreaded invader. If he had great vices, of which, however, there is little or nothing authentically related, they were such as he could not escape, being a Carthaginian; and that he was a Carthaginian is likewise the cause of his having been neglected, instead of being supplied from home with all his needs.<sup>4</sup> The best point in his character is the magnanimity which recognised the virtues of his foes and bore with the jealousies and slanders of his countrymen; but the qualities for which he was and has been most distinguished are those of the great warrior,

<sup>1</sup> Polyb., xv. 18. Liv., xxx. 43. Dion Cass., *Fragm.*, clv. These terms were concluded A. C. 201.

<sup>2</sup> Plut., *Fab.*, 2.

<sup>3</sup> Polybius (ix. 22) and Dion

Cassius (*Fragm.*, XLVII) are both his defenders.

<sup>4</sup> See Napoleon's judgment upon Hannibal in the *Mémorial de Ste. Hélène*, tom. ii. p. 438, éd. illustr.



who knew how to hate and how to wreak his hatred by blood and devastation. His career and his character are both more readily appreciated by connecting them with the condition and the history of Carthage, in which, as a declining state, he might, with his peculiar genius, have made himself a tyrant, with greater success than it was possible for him to obtain in seeking distant conquests, while factions, scanty, but passionate, were left to quarrel and to rule behind him. We cannot know him as he was once known; but if there be any security in the bare indications of defective history, it is to be believed that he who sought the friendship of Spaniards, Gauls, and Italians, through something more than the command of a conqueror, at the same time that he clung with something more than the fidelity of a fellow-countryman to his own Carthaginians in the hour of defeat, though they had scarcely heeded him in the hour of victory, was not only a hero, but a man of heart.<sup>1</sup>

The thought of what Hannibal would have been, had he belonged to Rome instead of Carthage, is not only allowable, but necessary, in order to conceive aright of the contrast between him and his nominal conqueror, Scipio. The one had every thing to prepare by his own exertions for his campaigns, except so far as his brother and his father had secured the controul of Spain; the other was obliged, not to pre-

<sup>1</sup> Hannibal's continued devotion to the interests of Carthage, his exile, and his death, about twenty years after the war, are all concisely related by Corn. Nepos, Hann., 7 *et seq.*



pare so much as to profit by what had been prepared for victory, through years of constancy and suffering.<sup>1</sup> The difference between the labours of the two generals is the difference between the fortunes of their respective countries. Rome was in the bloom of her existence. The blood in her veins was in all its purity; the vigour in her arms was in all its prime; and she needed only to be directed where and when the blow was to be struck, in order to see her enemies brought low. Scipio was the champion<sup>2</sup> of a cause in itself so strong, and to which he but devoted the enterprise and the power it inspired. His confidence in himself, his knowledge and command of men, and his consultations with the gods, were all the characteristics of his nation, though of course developed in him to a much more than common degree; and while Hannibal's greatness depended altogether upon his remoteness from the common stamp of men in Carthage, Scipio's consisted in his adaptation to his country. It is the same congeniality between the Roman people and their great hero that accounts for their enthusiasm in his behalf when he returned from Africa. Not only was his triumph celebrated with unexampled magnificence,<sup>3</sup> but it was proposed to set his statue in the squares and temples, and even to make him Consul or Dictator for life. These

<sup>1</sup> As Cicero perceived, when he wrote of the war as one which "excitatum majoribus copiis, aut Q. Maximus enervavisset, aut M. Marcellus contudisset, aut a portis hujus urbis avulsum P. Africanus

compulisset intra hostium mœnia." De Rep., i. 1.

<sup>2</sup> "Fatalis dux hujusce belli." Liv., xxii. 53.

<sup>3</sup> Liv., xxx. 45.



unwonted honours had no charm for him who was then a true Roman ;<sup>1</sup> and all that he accepted, besides his triumph, was the surname of Africanus, in memory of his renowned achievements at Zama and at Carthage.

It must be repeated, that the conduct and the termination of the wars with Carthage were not due to the generals, however great these were, so much as to the institutions which both made them great and supported them by a determined people. The humblest Roman citizen, whose knowledge of home and of law, imperfect though it were, rose far superior to that possessed by the highest of the Carthaginians, was but one of a thousand, whom victories might bring to the ground, but could never keep there, unless life had left their limbs. The biographer's tribute to the generals belongs to the whole people of the Commonwealth, in these passing generations. "In their youth," he wrote, "they fought with the Carthaginians for Sicily ; in their manhood, against the Gauls, for the sake of Italy ; and again, in their old age, with Hannibal and the Carthaginians."<sup>2</sup> The battles which drove back the Persians from Greece were not more the work of a free people than those that, sustained through doubts and sacrifices of which the memory is blotted out, made Rome the

<sup>1</sup> Val. Max., iv. 1, 6 ; where it is added,—*"Pæne tantum in recusandis honoribus se gessit, quantum gesserat in emerendis."* See Liv., xxxviii. 56.

<sup>2</sup> Plut., Marc., 1. See also Cic., De Nat. Deor., ii. 66, and the eulogy on Metellus in Plin., Nat. Hist., vii. 45.



conqueror of Carthage, and opened wide the way across the earth.

So likewise it must be said once more that the victory was not won without its sorrows and its wrongs. The treatment of the rebellious allies or subjects was more cruel<sup>1</sup> than had yet been the wont of the Romans when they conquered. The number of slaves was greatly increased, not only by captures and by punishments, but by the luxurious wants, which were multiplying faster even than was proportionate to the extension of dominion. Above all other indirect consequences were the evils of extreme wealth and extreme poverty, sure to engender rapacity and pride on the one hand, and, on the other, to produce sedition and brutality.<sup>2</sup> Above all other immediate results was the unavoidable thinning of the old Roman race, that fell in the wars by thousands and tens of thousands, leaving their places to such as prospered amongst the new-comers. Even though these things could not actually present themselves as we see them, at the conclusion of the wars, but were rather hidden materials for future explosion and de-

<sup>1</sup> As in Syracuse and Capua. Liv., xxv. 31, xxvi. 14, 16. It was but the beginning, however, of a change in policy; the old system being observed in the forgiveness of many of the southern Italians. Appian., *De Bell. Ann.*, 60.

<sup>2</sup> Such laws as the Cincian (A.C. 204) against the offence of bribery on the part of judges, or the Opian, of an earlier date (215),

against the extravagances of women, are unmistakable signs. Tac., *Ann.*, xi. 5. Liv., xxxiv. 1. A few lines from one of the fragments of Sallust's *Histories* (lib. i.) complete the picture: "At discordia, et avaritia, atque ambitio, et cætera secundis rebus oriri sueta mala, post Carthaginis excidium maxime aucta sunt," &c. See the same thing in Vell. Pat., ii. 1.



struction, a Roman Senator was moved to declare his doubts whether greater good or evil had come from the victory over Carthage.<sup>1</sup>

<sup>1</sup> The Senator was Quintus Metellus. Val. Max., vii. 2, 3. Compare the boast of the Consul Lævinus, Liv. xxvi. 35.



## CHAPTER XIII.

## INTELLECTUAL POWERS.

“The manly virtues were undoubtedly to be found among them ; but to the perfection of the human character it is necessary that these should be softened by humanity and dignified by knowledge.”—SMYTH, *Lect. 1. on Modern History.*

It is probably because a people, like a man, are obliged to put forth every possible energy to win the triumph at which they aim, that it appears, when won, to have kindled of itself an uncommon and a various ardour in them. Yet the glow which shines at any period of success in their annals is but the illumination of faculties that have long been travailing in obscurity, and that come forth, at last, in more or less resplendence, because the other faculties to which they have hitherto ministered cease to be of so exclusive development as to prevent their apparition by themselves. The conquest of Italy and of Carthage seems to have filled the Romans with impulses they had never known before. Dearly as it cost them, it had aroused new desires and new capacities, of which the free play promised to be an abundant compensation in respect both to culture and renown. But the truth may rather have been, that the powers which then appear to have been stirred for the first time had long existed, not dormant so much as un-



apparent, in the minds of the people, previously absorbed in works of war, of wealth, or, as more recently, of luxury. The powers which sooner or later with every nation find their way into the shaded haunts of poetry or philosophy have been already toiling and striving upon the open fields, though the blaze of the sun or the dust arising from the tread of men may have concealed them, as if they had not been there or anywhere.

It is not, therefore, merely to discover the achievements of a few individuals that we turn a new leaf in our history, on arriving at the times which seem to have inspired the first poets of Rome to strike their rudely strung lyres. If there were anything in them which differed from what existed in other men, it was the impulse to which they yielded when they proved that the powers which their people had hitherto employed in the struggles of the household, the Forum, or the distant campaign, might find a more peaceful expression in the voice of song. The enthusiasm for warfare, for law, and for superstition, which, so confounded, has been the characteristic of preceding generations, will not be lost from view, though we leave the only places where it has as yet been found. One new point, however, will lie before us, — that, namely, of the liberty there was in Rome for the intellectual powers to develope themselves in congenial works and ways.

Even in the years that went before the great conquests which we have supposed to stimulate the genius of the Romans, there were traces of inclination



towards new entertainments, if they deserved no higher name, of an intellectual cast. The introduction of public spectacles from Etruria,<sup>1</sup> of burlesques from Atella in Campania,<sup>2</sup> and, subsequently, of dramatic poems, the compositions of Livius Andronicus, a freedman from Tarentum,<sup>3</sup> betrays the changes in the tastes that had been content before with the bloody games of the Circus or the boisterous ceremonies of the religious festival. The names of the poets who now succeed are to be more slowly recounted, and the thought or temper manifest in them, individually or collectively, is to be cautiously examined, as a ray from the spirit which had the liberty of existence under the memories, the interests, and the destinies of Rome.

Cneius Nævius, probably born in some part of Campania, came to Rome at so early an age as to become a Roman in character and fortune. Catching the excitement which prevailed during the first war with Carthage, he enlisted in one or more of the armies of the Commonwealth, with whose cause his own, atom though it were, was thus identified. He is distinguished, amongst the crowds who crossed the seas to perish or to return with fame that has long since departed, by the triumphs he achieved without

<sup>1</sup> A. C. 361, or thereabouts. Liv., vii. 2.

<sup>2</sup> Hence called the Atellanæ Fabulæ. Ibid.

<sup>3</sup> Whose first play was acted A.C. 240. Aul. Gell., xvii. 21.

"The Romans," says A. W.

Schlegel, "owed the first idea of a play to the Etruscans, of the effusions of a sportive humour to the Oscans, and of a higher class of dramatic works to the Greeks." Dramat. Liter., Lect. xv.



the stains of blood or the cries of anguish which then appeared the only allurements of renown. His first adventures were dramatic,<sup>1</sup> and, like those of Andronicus the Greek, upon Grecian themes, from which, if we judge by titles merely, he sometimes departed, for the sake of giving a Roman name to the characters that could scarcely have been Greek, whatever were the scenes wherein they were arrayed.

The great work, however, of Nævius was his poem on the first Punic war, in which he had served, and to which it was natural for him to recur in his old age, whether inspired to keep its glories warm in the presence of the more thrilling incidents of the second war, or else to animate the generation succeeding his own, by the rehearsal of their father's victories over the same enemies with whom they were then contending. Hardly a fragment remains of this aspiring work, nor even one by which its form can be reconstructed; but the fervour that reared and filled it need not be taken entirely upon trust.<sup>2</sup> It seems that the mournful admiration with which Nævius regarded the departed heroes disposed him against the living, as too inferior, in his eyes, to be respected; and the stories of his hardihood in assailing the great family of the Metelli,<sup>3</sup> and even Scipio,<sup>4</sup>

<sup>1</sup> Aul. Gell., xvii. 21.

<sup>2</sup> "Nævius qui fervet." Sedigitus, ap. Aul. Gell., xv. 24.

<sup>3</sup> He wrote a bitter line:—  
"Fato Metelli Romæ fiunt Consules";  
to which one of the Metelli replied:—

"Dabunt malum Metelli Nævio poetæ."

Ascon. in Cic., In Verr., act i. 10. Aulus Gellius (iii. 3) says that Nævius was imprisoned, "ob assiduum maledicentiam et probra in principes civitatis."

<sup>4</sup> Aul. Gell., vi. 8.



describe the ardent nature that must have chanted the battles of former days with all the daring vigour which was of natural growth amongst a tumultuous and pugnacious people. The days of the poet, too bold even for his bold countrymen to bear, were ended in banishment.<sup>1</sup>

M. Accius Plautus, by birth an Umbrian, was already an established dramatist in Rome when Nævius died in exile. In earlier years, while struggling with poverty and discouraging occupations, he wrote some plays, whose rapid sale to the conductors of the great games raised him, from being a poor labourer at a hand-mill, to the highest place in the favour of the people amongst the ministers to their entertainment on the stage. The rude experiences of the life he had led, coupled with the rude tastes he was principally obliged to consult, left little chance of refinement or of ideality in him or in his dramas. Even if the dramatist himself were sensitive to the gentler characters or the loftier thoughts his art was able to pourtray, the temptation, that proves so strong with many still, to raise a shout of applause at the sight of absurdities, misfortunes, or crimes, was irresistible. Much the more vivid, therefore, is the picture of the audience which the plays preserve; and the indifference or corruption of heart on the one side, are the characteristics of the multitude, as well as the affection and the manliness which are often to be found on the other side. The poet laments, or makes a show of lamenting, the vulgarity and baseness of

<sup>1</sup> Somewhere about A. C. 200.



the individuals he was obliged to bring into his writings;<sup>1</sup> but there are many touches, such as concern the love of parent and child,<sup>2</sup> husband and wife,<sup>3</sup> friend and friend,<sup>4</sup> master and slave,<sup>5</sup> which seem to prove there were better materials in his countrymen than he would openly allow.

The curtain which hangs in history upon the daily habits and opinions of the Romans, in their various classes, is, for a moment, lifted in the plays of Plautus. The group of fishermen look as if we were with them on the shore.<sup>6</sup> The praise of valour from the lady's lips sounds fresh and stirring, as if spoken in the midst of the people who loved to be brave, believing that bravery was the whole of virtue.<sup>7</sup> The derision of the immortals opens a stranger scene, and one prophetic of the contempt which was some day to triumph, confessedly or unconfessedly, over what had been in Rome thought holy.<sup>8</sup> But it is in the poet's pages, not in these, that he or those of whom he writes<sup>9</sup> can be best comprehended.

<sup>1</sup> See his own list in the *Captivi*, Prol. 55—58.

*Patria et prognati tutantur, servantur;*

<sup>2</sup> In the *Captivi*.

*Virtus omnia in se habet: omnia adsunt bona, quem penes est virtus."*

<sup>3</sup> In the *Stichus*.

*Amphit.*, act. II. sc. 2.

<sup>4</sup> In the *Trinummus*.

<sup>5</sup> In the *Captivi* and the *Truculentus*.

<sup>8</sup> See the whole play of the *Amphitruo*, in which derision of Jupiter is an especial feature, capped by the line at the close:—

<sup>6</sup> *Rudens*, act II. sc. 1.

<sup>7</sup> "Virtus præmium 'st optimum.

"Nunc, spectatores, Jovis summi causa clare plaudite."

*Virtus omnibus rebus anteit profecto.*

<sup>9</sup> Plautus has been called an

*Libertas, salus, vita, res, parentes,*

imitator, and indeed himself con-



Quintus Ennius, born in Calabria, but bred, like most Italians, to the service of their great metropolis, came in mature manhood<sup>1</sup> to Rome, where he spent most of his remaining days in a modest home upon the Aventine. He occupied himself in teaching many high-born youths, with whom the adventures of his earlier years in the armies of their fathers would have made him a favourite, whatever might have been his capacity to teach, or theirs to learn. One of his pupils, the son of a great house, procured him the privilege of citizenship in his old age; but Ennius had long been courted by the most eminent men in Rome, as if he were able to honour them more than they could honour him. The patronage of the rich and the powerful was attracted towards him as the poet who could wreath a garland for their brows, rather than the teacher who could make them wiser in their minds or humaner in their hearts; and the position he occupied amongst them, as amongst their children, was scarcely that which would have been given a man of equal genius in a more cultivated nation. On the other hand, there was nothing degrading to Ennius in being regarded by the sons or

fesses to being one, as in the Prologue to the *Trinummus* :—

“Huic nomen Græce est Thesauro  
fabulæ :

Philemo scripsit, Plautus vortit  
barbare ;

Nomen Trinummo fecit.”

But this does not prevent his being the exponent of Roman feelings under foreign names.

<sup>1</sup> Being about forty years of age. He was born A.C. 239, and died in 169. It was Porcius Cato (see next chapter) who met Ennius in Sardinia, and induced him to visit Rome under his protection. In *De Vir. Ill.*, XLVII., Ennius is mentioned as having been Cato's instructor in Greek.



by the fathers as has been described; but the contrary. Scipio Africanus himself desired that the ashes of the poet should be deposited at his side, in the burial-place of his family; and Ennius requited the attachment of the Patrician with praises of his life, and, after he was dead, of his illustrious memory.<sup>1</sup>

It was under such influences that Ennius composed his Annals, as he called the poem, in which the splendours of Rome were concentrated, as it were, into a single ray of glowing song. He could not have turned to the past, however, for its own sake, so much as to warm the memories and to gild the names of those great men who protected him in his adopted home. If he sought the associations of elder days, it was not to describe them by themselves, as though they were distinct from the circumstances and the achievements of his own times, but rather so to link the living with the dead, that their renown might brighten with the reflection or the absorption of what had gone before. The present was his inspiration; the past but furnished his materials; and the future, if he looked forward, was too uncertain to wake a strain from him, as it was to stir a hope amongst his countrymen. One of the few fragments that remain from the wreck of Ennius's Annals confirms the view we have to take of him simply by the doubt it expresses of the care or the providence of the gods.<sup>2</sup> The Romans were beginning to disbe-

<sup>1</sup> See the classification of Ennius's fragments in the article thereupon in Smith's Dict. Gr. and Rom. Biog. and Myth.

<sup>2</sup> "Ego deum genus esse semper dixi, et dicam cœlitum; Sed eos non curare opinor, quid agat humanum genus."

*Ap. Cic., De Divin.,* II. 50.



lieve the efficacy of any other powers than those established in earthly institutions or lodged in mortal souls.

Terentius, or, as we call him, Terence, a boy still when Plautus died, yet his first successor, belongs to a later day than that at which we have actually arrived. There is, however, no impropriety in introducing him here to complete the list of those who first preferred, or else assumed, because preferred by others, the service of the Muses amongst the worshippers of Mars. Born in Carthage, and probably of some poor family, Terence was apparently sold<sup>1</sup> into servitude at an early age, and brought to Rome by a certain Senator, Terentius Lucanus, who, struck by the intellect of his slave, first educated and then liberated him, with the permission to bear the name of his benefactor. The acuteness of the Senator was not at fault; and the freedman became the favourite writer with the people, and the favourite companion with many of the most distinguished men in Rome.<sup>2</sup> The marks, however of foreign birth and of early bondage were not obliterated; and the witness which Terence bears down to us of his own spirit discloses rather his obsequiousness to those with whom he passed his life, but of whom he was scarcely

<sup>1</sup> Terent. Vita, nominally by Suetonius, sect. 1.

<sup>2</sup> Such as the younger Africanus and his friend Lælius, whose intimacy with Terence was so great, that he was charged with seeking

or accepting their aid in the composition of his plays. See his lines, Prol. to *Heauton.*, 22 *et seq.*; Prol. to *Adel.*, 15 *et seq.* The refutation (somewhat contrary to his own tone) is in Terent. Vit., just cited, sect. 2, 3, 4.



one. While his predecessors in poetry and in the drama had written from their own impulses as well as from the desire they had to gratify their superiors, Terence seems to have sunk his individuality in such profound servility, as to have been an imitator of others' writings,<sup>1</sup> as well as a flatterer of others' tastes<sup>2</sup> besides his own.

It is dangerous, perhaps, to take such a man as the representative of the very people whom he sought to please, because the adaptation of his art to their entertainment was too much studied not to be overstrained. He praised the elder poets, for instance, but their earnestness could no more be gathered from his imitations than the stars can be represented by farthing candles. Yet there is one point observable in Terence's plays that so corresponds with the indications of positive history as to be acceptable in illustration of the Roman mind, as it was seen by him. This is the indifferent, it might often be called the jeering, temper in which he expresses feeling or describes affection;<sup>3</sup> as if the life he led and the lives he witnessed were sadder than they are commonly regarded, even when all the evils of hea-

<sup>1</sup> "Ex integra Græca integram  
comediam  
Hodie sum acturus."

*Heauton., Prol., 4, 5.*

See *Eunuch., Prol., 30 et seq., 41*; *Andria, Prol., 18 et seq.* The name which Cæsar gave him was bitter enough: "O dimidiate Menander!" *Terent. Vit., sect. 5.*

<sup>2</sup> "Poeta quum primum animum  
ad scribendum appulit,

*Id sibi negoti credidit dari,  
Populo ut placerent, quas fecisset  
fabulas."*

*Andria, Prol.*

His pictures of the rudeness of his audience must be remembered; as in the prologues to *Heauton.* and *Hecyra.*

<sup>3</sup> As in the *Andria*, act 1. sc. 6, or in the *Heauton.*, passim, but especially in the famous line, "Ho



thenism are remembered. Another change which seems to have been working amongst the Romans is exhibited in the daintiness of his style,<sup>1</sup> compared with the rougher but manlier language of those who went before him; a change in the nation,—that is, in its highest classes,—as well as in its literature, of which it will be more appropriate to take an account in relating the uses which were made in Rome of elder or foreign cultivation generally. Terence died in the midst of voyages and labours<sup>2</sup> to find some more plays of the Greeks to put, in their new dress, upon the Roman stage.

Thus lie along the ancient strand the earlier pebbles, as it were, cast out from the mighty sea into which they had been thrown; and different though they be in forms, we know that the same waves have worn upon them all. More than this, however, can be told but insecurely, unless we were to linger over the hue of one or the shape of another, as if the places wherein they had rested and the eddies wherein they had been tossed could thus be traced. Of two, apparently the two greatest poets of the four, nothing remains but pieces of what they put together with fervour or with toil; and the other two, though much is left of more they did, are hardly fitter for merely literary criticism. The powers in them which illustrate the powers of the Roman people are those they

mo sum," &c. (act i. sc. 1, 77); than which there was never intended a greater satire upon philanthropy.

<sup>1</sup> Montaigne calls Terence "La

mignardise et les graces du langage latin." *Essais*, Livre II. ch. 10.

<sup>2</sup> Terent. Vit., sect. 4, 5. He died near A. C. 159, at the age of thirty-five.



shewed in the subjects they chose, or the thoughts they uttered, without relation to the manner in which the expression and the composition were achieved. The degree of liberty that there was to be a dramatist or a poet may be apparent without any exacter definition.

It is plain, on the one hand, that all the four names over which we have passed belonged to an inferior estate ; and yet, on the other, that the enterprises they denote could never have been ended, or even been begun, without the protection and the appreciation of the higher classes. The pursuits, however, which interested the eminent Romans so much as to induce them to make them their own, with persevering eagerness, were the triad, so to speak, of the military, the legal, and the oratorical sciences,<sup>1</sup> each, so far as it was then advanced, having something to contribute to the success of the citizen. We have had occasion to notice various personages like Appius the Blind, in whom oratory, jurisprudence, and the art of war,<sup>2</sup> together, had an earnest votary ; and there are but few names like Papirius,<sup>3</sup> preserved in such a manner as to mark that they who bore them were distinguished in but a single branch of this

<sup>1</sup> "Artes honestas, et sive ad rem militarem, sive ad juris scientiam, sive ad eloquentiam inclinasset." Cited by Savigny from the treatise entitled "De Causis Corruptæ Eloquentiæ."

<sup>2</sup> See the testimony in Orelli, *Inscript. Lat.*, 539 ; to which I refer, because the account of Ap-

pius, in connection with his colleague, Volumnius (ch. x.), is against his reputation as a warrior.

<sup>3</sup> The first Roman jurist, properly speaking, and the collector of the royal laws, as those of the Monarchy were called. He was Chief Pontiff at the time of the Patrician revolution. *Dion. Hal.*, III. 36.



not very widely-spread knowledge. It must have been the high-born Roman, too, that repeated or composed many of the lays concerning which mention has several times been made; though the most zealous minstrels whom the memories of earlier times inspired were probably those who chanted their verses in the streets or at the festivals amongst the multitude. When it became the turn of history to take the legends to itself, the greater dignity that they then assumed abashed the lower classes, but induced the Patrician, like Fabius Pictor, to esteem the subject worthy of his patriotism, and therefore of his highest faculties of mind.

It cannot but be wonderful, although strictly consistent with the Roman character, that the intercourse with various people, in all directions, should not have been sooner followed by a love of art or poetry, or some humanizing knowledge, even if the rudeness of the conquerors were such as to make philosophy difficult, and abstract science impossible to their understanding. There is always danger, as we have before observed, in professing to interpret the designs of our Infinite Creator; but it does not seem presumptuous to believe that the Romans were allowed the freedom, first of warriors, then of rulers, but never of a humane and cultivated nation. In this light it seems fit that their intellectual powers should have been employed as they were, in the works of conquest, dominion, and destruction.



## CHAPTER XIV.

## FOREIGN CONQUESTS AND PROVINCES.

“Post Carthaginem vinci neminem puduit.”—FLORUS, II. 7.

“Thus up the hill of empire slow they toiled :

Till, the bold summit gained,.....

Then o’er the nations they resistless rushed,

And touched the limits of the failing world.”

THOMSON, *Liberty*, Part III.

THE rapid conquests of the Romans taught them to love warfare but too well for their own improvement or continuing prosperity. Alike with all classes, with the soldier as well as the general, and the ally as well as the citizen, the excitement or the authority of a campaign was nearly enough to make it the most attractive of all occupations, even had its close brought no glory or no booty to those who survived its perils and enjoyed its manifold rewards. We must go into the wars themselves, as it were, in order to comprehend how passion and policy could unite to turn the energies of a free nation into so rocky and so turbid a course as that pursued by the Romans almost from one end to the other of the earth. There were some, after the peace with Carthage, who were weary<sup>1</sup> of the trials and the struggles in

<sup>1</sup> “Fessi diuturnitate et gravitate belli sua sponte homines tædio laborum periculorumque.” Liv. XXXI. 6.



which their lives appeared to have been consumed ; but they were neither sufficiently numerous nor sufficiently steadfast to prevent the immediate declaration of hostilities against Macedonia. The wars of the next sixty or seventy years<sup>1</sup> made it as plain as it is now, that the armies which had achieved the conquest of Italy, Spain, and Carthage, were destined to overrun the fairest countries of the ancient world.

At about the middle of this period, on the occasion of some difficulty in an enlistment at Rome, a "few words," as the historian styles them, were addressed to the multitude by one whose military experience gave him the right of advising any men who hesitated to serve as soldiers. "I am Spurius Ligustinus," he said, "of Sabine stock and the Crustumian Tribe. My father left me a juger of land and a little cottage, where I was born and bred, and where I still dwell. Thirty years ago<sup>3</sup> I enlisted for the first time, and served in Macedonia, as a private soldier, for two years, when the command of a company was given me, because of the valour I had shewn. As soon as we had got back to Italy and were disbanded, I set out, as a volunteer for Spain, but was there promoted to a higher post than that I had held in Greece. Afterwards, I volunteered in the great Eastern expedition, and was put at the head of the first company of all. Then I came back, but still kept myself in service, going twice to Spain, and having had, within a few years, the first company four times under my com-

<sup>1</sup> A. C. 200 to 137.

<sup>2</sup> The translation here and throughout the speech is free.



mand. Four-and-thirty times have my generals rewarded me for bravery, and six civic crowns have been given me for having saved the lives of Roman citizens in battle. Altogether, I have served for two-and-twenty years, and am now past fifty years old. So, then, I might be excused, I think, from any further duty, especially as I have four sons in the army; but I trust you will take my words for what they are meant, when I say, that, as long as any one who holds a levy thinks me fit for service, I will never shirk the call, and will always try, too, that no better soldier shall be found in the whole army.”<sup>1</sup> The boast of valour and the promise of devotion which mark the veteran’s harangue may be joined with the image he presents of the father, twenty-two years absent from his home, educating his children to spend their lives, as he had done, in arms; and the Roman soldier stands before us, in his hand the drawn sword, on his lips the vaunt of bravery, and highest in his heart the hope of crowns and public admiration. Of such stuff were they who, trained in freedom, went forth to conquer the uncultivated or the exhausted nations by whom they were surrounded.

The character of the individual, formed under the circumstances observed throughout our history, was confirmed by the tone and the discipline of the army, the constitution of which at once enforced obedience and encouraged self-respect. No offences could be visited with more dreadful punishment than those of the deserter or the factious soldier; but, on the

<sup>1</sup> Liv., XLII. 34.



other hand, no honours could be greater than those showered upon the valiant, no matter what their rank might be,—while the triumph of the general was esteemed the acme of mortal joy and grandeur. A law, taking its name of the Porcian, as is supposed, from a Tribune of the next year after the renewal of the foreign wars, and protecting the Roman citizen from being scourged or slain,<sup>1</sup> reads as if it had been intended to remove the only possible objection to military service, by abolishing the penalties most dreaded by the unfortunate or the unfaithful soldier. But if it were put forward as an inducement to enlist that the life and the dignity of the Roman should be respected, the discipline of the armies was still maintained, as the safeguard against the trials which even the victorious nation could not escape in its marches and its voyages across the ancient world.

The wars of the present period may be divided into two great masses ; the one consisting of those with civilized, and the other of those with uncivilized nations. The expeditions to the East against the shattered states of Greece and of Alexander were very different, as all who have read them know, from the battles in which the Gauls beneath the Alps, and the Spanish tribes beyond the Pyrenees, resisted the legions with the freshness and the ferocity of barbarians. It must be our part to obtain some sketch of these

<sup>1</sup> A. C. 199. Liv., x. 9. Salust., Cat., 51. Cicero, however, speaks of “leges Porciæ, quæ tres sunt trium Porciorum,” and says,

“neque quidquam præter sanctionem attulerunt novi.” De Rep., ii. 31. Cf. his oration Pro C. Rab., 3, 4.



great strifes, that shall enable us, not only to comprehend the situation of the conquered, but that, likewise, of the conquerors.

The clouds that we long ago saw gathering over Greece had descended with more dismal prospect of desolation, when the Romans first crossed the sea to Illyria, or when, again, they entered upon the war with the fifth Philip of Macedonia. In vain had Agis and Cleomenes, the kings of Sparta,<sup>1</sup> endeavoured to restore the ruined laws and the fallen spirits of their countrymen. The Achæan league was equally unsuccessful in the North of the Peloponnesus, though it gained many members, and obtained for a chief Philopœmen, the last hero, as his biographer exclaims, whom Greece brought forth in her age,<sup>2</sup> a man fitter, it would seem, to succeed than to fail. On the mainland, as it was called, in contradistinction to the peninsula, the only governments left were those of the Ætolian league and of Macedonia, both really sinking, however strong they might have appeared, beneath the ceaseless disputes in which they were involved. Beyond the Ægean, Antiochus, the third Syrian king of that name, and so distinguished in the East by his comparative prosperity as to be called the Great, was in possession of Asia Minor and meditating the conquest of the Grecian states, his designs upon which were disclosed by his inva-

<sup>1</sup> Agis reigned from A. C. 244 to 240; Cleomenes from 236 to 220. See Plutarch's Lives.

<sup>2</sup> Plut., Philop., 1. Philopœ-

men lived from A. C. 252 to 183. Aratus preceded and Lycortas followed him in the same hopeless cause.



sion of the Thracian Chersonesus, then a frontier province of Macedonia. He was soon to be taught that there was little space for his dominion, not only in the lands he coveted, but in those he had already gained.

For upon Antiochus, as upon Macedonia, Ætolia, Achaia, Sparta, and the whole of Greece, the Roman armies broke with blows that could scarcely be an instant parried, much less for any time endured. The second war with Macedonia, begun immediately after the peace with Carthage, and decided within four years by the battle at Cynoscephalæ,<sup>1</sup> cut off that kingdom from its hold upon the rest of Greece, to whose helpless people the famous proclamation of liberty was made at the following Isthmian games.<sup>2</sup> A half-century succeeded, the early and the latter years alone of which were marked by any traces of the spirit that once had lived and toiled in Homer, Solon, and Socrates, where men were now waiting to see the triumph of their enemies. The Ætolians, though supported by Antiochus, were soon humbled;<sup>3</sup> and the Syrian himself, overcome at Thermopylæ<sup>4</sup> and Magnesia,<sup>5</sup> was glad to obtain peace by surrendering his dominions in Asia Minor.<sup>6</sup> One more skirmish with Macedonia, under its new king, Perseus, was the end of independence there;<sup>1</sup> and

<sup>1</sup> A. C. 197. Liv., xxxiii. 9, 10.

<sup>2</sup> A. C. 196. Liv., xxxiii. 32, 33. Polyb., xviii. 29.

<sup>3</sup> A. C. 189. Liv., xxxviii. 11.

<sup>4</sup> A. C. 191. Liv., xxxvi. 18, 19.

<sup>5</sup> A. C. 190. Liv., xxxvii. 38 *et seq.*

<sup>6</sup> A. C. 188. Liv., xxxviii. 38.

<sup>7</sup> At Pydna, A. C. 168. Liv.,



when Illyria and Epirus being already subdued,<sup>1</sup> the southern countries were overrun in what was called the Achæan war,<sup>2</sup> the very name of Greece disappeared in the provinces of Macedonia and Achaia.

Such mere rumours of war after war convey but a faint idea of the manner in which the few remaining monuments of liberty in Greece were overswept as by the sand-waves of a fierce simoom. One city, long since deprived of freedom, but wearing a magnificent and unblushing mien, stood at the head of the Peloponnesus, between the seas which rolled on either side of the isthmus. It was Corinth, the beautiful, the opulent,<sup>3</sup> and once the noble city, that, in the convulsive years through which we have just now passed, essayed to put away its habits of revelry and licentiousness and bear a prominent part in the struggles of the Achæan league. But on the appearance of the Consul, Lucius Mummius, before the walls, they

XLIV. 41 *et seq.* Two pretenders to the throne, twenty and twenty-five years afterwards, were easily overthrown.

<sup>1</sup> A. C. 168—167. Liv., XLIV. 30, 32, XLV. 18, 26. The dreadful account of the ravages committed in Epirus by Æmilius Paullus, one of the great heroes of the times, is in Plut., Æm. Paull., 29; Liv., XLV. 34.

<sup>2</sup> A. C. 147—146. See the following narrative of the fall of Corinth.

<sup>3</sup> "Achaiaë caput," exclaims Florus (II. 16), "Græciæ decus, in-

ter duo maria, Ionium et Ægæum, quasi spectacula exposita."

"Urbs toto tunc orbe," wrote Orosius (v. 3), "longe omnium opulentissima; quippe quæ velut officina omnium artificum atque artificiorum et emporium commune Asiæ atque Europæ per multa retro secula fuit."

Paulus Orosius, born in Tarragona about A. D. 390, was a disciple and a friend of St. Augustine and St. Jerome, to the former of whom he dedicated his "Histories against the Pagans," in which he describes the calamities of heathenism.



were already deserted by those who had undertaken to defend them; and when the Romans entered the gates without resistance, the inhabitants they found within seemed fit, it appears, only to be murdered or sold into captivity. All the treasures of wealth and art which Corinth had been amassing for centuries were seized; and when nothing remained to be taken away, the Consul ordered his trumpeters to blow a blast,<sup>1</sup> at which his men, as previously instructed, set fire to every part of the city. The flames flared up, says a later historian, as though the walls had formed the circumference of one vast chimney,<sup>2</sup> and all that was soon left of the brilliant Corinth was the broken skeleton, as it were, of its form, in the midst of ashes.

Savage as may seem the conduct of Mummius, he had ordered no more than any of his countrymen would have done; and if it appear unnecessary to repeat the description of a scene so full of horror, it must be remembered that there is some illustration required of the passions which the Romans shewed and of the impressions to which they were exposed as conquerors. The surname of Achaicus,<sup>3</sup> than which Mummius could have received no greater reward, though this was given him on account of his settlement of Achaia<sup>4</sup> rather than of the conflagration of Corinth, is, nevertheless, a fully sufficient tes-

<sup>1</sup> Florus, II. 16.

<sup>2</sup> Oros., v. 3. Cf. Diodorus's lamentations. Reliq., xxxii. 27.

<sup>3</sup> Vell. Pat., I. 13. Mummius was the first Plebeian to obtain a name from his victories.

<sup>4</sup> Polyb., xli. 11.



timony to the fact that he was not regarded as having done any thing of which there was need to be ashamed, or with which he could on any grounds be charged ; and not long afterwards, indeed, he was blamed by his colleague in the censorship for being, not too severe, but much too mild in disposition.<sup>1</sup> The only respect in which he appears to have been below the standard of other eminent men was his exceeding ignorance of art, than which there could be no greater, if he allowed, as is said, his soldiers to use a famous painting for a dice-board,<sup>2</sup> while he bade the shippers he employed in transporting his spoils to Rome to observe that he held them bound to replace any statue or picture they might lose.<sup>3</sup> But even in imagining that the ideal form she beheld, yet did not understand, were to be replaced by gold, Mummius was, again, of the same mind that far the greater number of his countrymen would have been ; and it is, once more, their want of cultivation that we see in his, just as his want of humanity was theirs likewise. It may now be simpler to conceive the devastation which was spread amongst the civilized but enervated victims of the Roman arms.

The same year<sup>4</sup> that was marked by the fall of Corinth witnessed the final overthrow of Carthage. A third Punic war, so called, was begun, apparently because the Romans were weary of hearing the name

<sup>1</sup> Val. Max., vi. 4, 2.

<sup>2</sup> Polyb., xl. 7., Fragm. from Strabo.

<sup>3</sup> Vell. Pat., i. 13. So Pliny (xxxv. 8) tells another story of

Mummius's selling a picture for a large sum and then taking it back :—"Suspensus aliquid in ea virtutis quod ipse nesciret."

<sup>4</sup> A. C. 146.



of their ancient enemies ; and for three years the Carthaginians strove to defend the little that was left to them for an inheritance. But they, too, fell ; their homes were for ever ruined ; and a few deserted vestiges of Hannibal's birthplace alone remained upon the northern coast of the province formed of the surrounding territory and entitled Africa.<sup>1</sup> Another Scipio was the destroyer ; and the name of Africanus, a second time bestowed, bore witness to his renown and to the extinction of Carthage from among the habitations of men.

While Carthage and Greece were falling easy victims to the covetousness and the force of Rome, the wars with the barbarians of the north and west were still arduous. The Gauls on the southern side of the Po, first defeated, were wellnigh exterminated at the commencement of the present period ;<sup>2</sup> their kinsmen or neighbours farther northwards being shortly after compelled to yield, some even to be transported to the south, as hostages or exiles.<sup>3</sup> In the succeeding years, the Roman arms were pushed amongst the Alps<sup>4</sup> and along the shores of the Adriatic through Istria and Dalmatia<sup>5</sup> on the east, while on the west they followed the Mediterranean coast towards Massilia, their ancient ally. Meanwhile, the

<sup>1</sup> Flor., II. 15. Appian., De Reb. Pun., 132 *et seq.*

<sup>2</sup> A. C. 196. Liv., XXXIII. 36 *et seq.*

<sup>3</sup> Some of the Ligurians were transported into Samnium, A. C.

180. Liv., XL. 38. The bulk of the tribe did not submit until some years afterwards.

<sup>4</sup> A. C. 166. Liv., Epit., XLVII.

<sup>5</sup> A. C. 178—156. Liv., XLI. 1. Epit., LXVII.



revolts of Sardinia and Corsica<sup>1</sup> were quelled, and the whole extent of Italy, from its southern islands to its northern mountains, kept clear as possible of any commotions that might disturb the expeditions year by year departing, but not so often returning, across the seas.

The roughest fields of all were to the west, in Spain, where Scipio's conquests, though they left the names of the Nearer and the Farther provinces, into which the country had been divided, were nevertheless again and again endangered, sometimes impaired, by the eager and vexatious enemies whom no victories seemed able to crush. Porcius Cato, of whom we shall presently hear more, and Sempronius Gracchus, son of the victor at Beneventum, confirmed the Roman dominion over the districts on the northern side of the Ebro,<sup>2</sup> and in the Celtiberian portions of the peninsula ;<sup>3</sup> yet their successors in command were but the more sorely tried by the independent spirit of many, especially among the western tribes, against whose wild and flighty forces the steady legions seemed driven, like spent balls, in vain. Nor did the devastations and butcheries with which the baffled conquerors consoled themselves make their own advances easier, or leave the country quieter, to the armies of another year.

In the midst of this long uproar, and when it was loudest in Lusitania, the command of the forces em-

<sup>1</sup> A. C. 176, 173. Liv., xli. 17, xlii. 7.

<sup>3</sup> A. C. 179. Liv., xl. 47 *et seq.*

<sup>2</sup> A. C. 195. Liv., xxxiv. 9 *et seq.*



ployed against the inhabitants of that western territory was intrusted to the Prætor Sulpicius Galba, a man of talent, experience, and utter corruptness. Defeated, like his predecessors, by the speed and the spirit of the mountaineers, he waited his opportunity, and in the spring of the second year<sup>1</sup> broke in again amongst them, in conjunction with another Roman general, whom he had perhaps persuaded to support his intended operations. The plan succeeded; and the Lusitanians, terrified at the approach of both the Roman armies, sent to Galba to sue for peace. He was quite prepared to receive and to abuse their submission; and summoning the whole tribe, through their envoys, to meet in different places, where his proposals should be communicated to them, he was enabled to accomplish his work of treachery and bloodshed without a struggle. A large number of the mountaineers were massacred;<sup>2</sup> some were spared for slavery; only a few escaped to wreak revenge.

But before proceeding in search of the events which were sure, under the circumstances, to follow upon this horrid slaughter, we must turn our faces to obtain a striking glimpse of the opinions and principles that were now in action at Rome. The first idea suggested, on returning thither from the scene of perfidy in Lusitania, is, that the Romans were both too brave and too free, however wanting

<sup>1</sup> A. C. 150. Appian., De Reb. says 7,000. Suetonius (Galb., 3) raises the number to 30,000, Hisp., 59.

<sup>2</sup> Valerius Maximus (ix. 6, 2)



they may have been in true humanity, to tolerate the method their general had employed in the destruction of their foes. And so it appears to have been, a few months later, when a bill was put forward to the intent that the captives whom Galba had taken and saved alive should be set free;<sup>1</sup> which was only another form of proposing his trial for what he had done in Lusitania. The great Cato, then far advanced in years, supported the measure with all the vehemence that we shall soon perceive to have been the characteristic of his earlier days. "Many things," he exclaimed, on rising before the people, "many things there are to dissuade me from appearing here,—my years, my age, my voice, my weakness, and my infirmities. But the question is of the highest concern to the Commonwealth,"<sup>2</sup> he added; urging besides, that censure should be passed upon the Prætor who had disgraced its name. Yet the expectations, naturally aroused by the proposal of bringing the criminal commander to the shame he well deserved, are mournfully deceived. The law of Rome was as mild to any means of increasing her dominion as it was stern and fatal to any enmity, though she had herself provoked it by menaces or positive hostilities; and the children whom she bore were taught from their infancy to hate and to beat down all whose hearts were not, like theirs, bound to her cause, in life and death. Galba had only to

<sup>1</sup> Liv., Epit., XLIX.

24. The speech is mentioned in

<sup>2</sup> Such is the free translation of the fragment in Aul. Gell., XIII.

Cic., De Orat., I. 53.



parade his children before his fellow-citizens, and pour out the abundant eloquence he had,<sup>1</sup> as if in their behalf, to avert his sentence, as Cato said, by his boys and tears.<sup>2</sup> In fact, the only ground on which the trial seems to have been proposed was the apprehension that the Lusitanian massacre had done or was likely to do injury instead of service to the Commonwealth; and when the consequences actually ensuing, as had been feared, were beginning to be repaired by another general, Galba, still the rich and the eloquent citizen, was elected Consul,<sup>3</sup>—so little had he forfeited the good graces of his countrymen.

A spirit more faithful to liberty, however far from wisdom or peace it may have been, survived amongst the Lusitanians who had escaped the death and the bondage of their kindred. It was not long afterwards that some ten thousand, partly, as is probable, of the neighbouring Spanish tribes, invaded the southern province of Turdetania.<sup>4</sup> A Roman army soon started in pursuit; and the invaders had scarcely begun to scour the well-filled plains when they were overtaken and driven to seek refuge in some fortified place, which happened to be near at hand, and in which they were fast beset by their pursuers. The mountaineers could not sustain a siege, nor did they dare to attempt evasion through the guarded lines of their enemies; but, completely overcome, they sent some envoys with olive-branches to entreat

<sup>1</sup> Cicero speaks of Galba as surpassing all the orators of his time. Brut., 21.

<sup>2</sup> Cic., De Orat., i. 53.

<sup>3</sup> A.C. 144. The other general was Fabius Æmilianus, mentioned farther on.

<sup>4</sup> Appian., De Reb. Hisp., 61.



for safety. The messengers, profuse in pledges of submission and fidelity, were favourably received in the Roman camp; a treaty was proposed; and the Lusitanians, hungered and weary, were on the point of surrendering themselves, perhaps to be sold or slain, when a well-known voice was heard, denouncing the perfidy to which they were exposed, and bidding all who would save themselves from destruction prepare to fly from the place in which they had been ensnared. The voice was that of Viriathus, than whom, as all who heard it knew, there was none more valiant or more prudent in their tribe; and, to the eager tones in which he spoke, shout upon shout returned that he must be their chief and do with them what he willed.<sup>1</sup> He chose a thousand men, and, sending the rest before him, protected their flight along the mountain-paths that led them home, until, sure of their safety, he could turn upon his astonished and infuriated foes and drive them back to carry the news that the Lusitanians were once more free.

In his youth, Viriathus had been a shepherd and a hunter amongst his native mountains; but as the ardour of his character increased with years, he joined a body of men whom the Romans called brigands,<sup>3</sup> but who are better described by the modern name of guerillas. Of these he soon became the leader,<sup>3</sup> and with them, as may be conjectured, he often joined the disorderly hosts which were raised from time to

<sup>1</sup> Appian., *De Reb. Hisp.*, 61, 62.

nature latro." Liv., *Epit.*, LII. So Florus, II. 17.

<sup>2</sup> "Ex pastore venator, ex ve-

<sup>3</sup> Diod. Sic., *Reliq.*, XXXIII. 1.



time against the invaders; so that experience, as well as natural capacity, prepared him to be what he was called in after times—the Champion of Spain.<sup>1</sup> He lived for freedom,—for such, that is, as it was possible for him to understand; nor did he always shew the devotion of a barbarian only, but often that of a spirit touched to finer issues than force or fiery hopes could give. There is a characteristic tale preserved of his nuptials with the daughter of some principal personage amongst his countrymen, relating how he made light of the magnificence displayed in the banquet-room, and how he stood but a moment by the laden tables before seeking his bride, and bearing her away with him on his horse, to the camp of his mountaineers.<sup>2</sup> It sounds as if he understood the inconsistency of revelry and luxury with the cause to which his whole heart was given in such entireness, that the revelry he sought was in the march and the victory,—if he did not rather love the lonely hours in which the mountain breeze murmured of a more peaceful future.<sup>3</sup> We cannot know him; for he was described by his enemies, and by them only so far as he was connected with their history. Nor would it now be lawful to set his hopes too high, or believe that

<sup>1</sup> “Assertor contra Romanos Hispaniæ.” Eutrop., iv. 16. “Ac si fortuna cessisset Hispaniæ Romulus.” Flor., ii. 17.

<sup>2</sup> Diod. Sic., Reliq., xxxiii. 7.

<sup>3</sup> As to Pelayo, whose career in after times was much akin to his,—

“The mountain breeze,  
Which he had with the breath of  
infancy  
Inhaled, such impulse to his heart  
restored,  
As if the seasons had rolled back,  
and life  
Enjoyed a second spring.”

SOUTHEY'S *Roderick*.



he could have thought of doing more than drive the foe from his country, and leave his countrymen and remain himself, barbarian.

However this may be, there is no possibility of doubting the energy and the self-exposure by which Viriathus, for eight years,<sup>1</sup> led his men amongst their mountains and against the Romans. Within the first three years he was continually successful, and many a trophy on the mountain-sides<sup>2</sup> shewed where the invaders had been discomfited in their ungenerous designs. A temporary check<sup>3</sup> from the operations of Fabius Æmilianus, in command both as Consul and Proconsul, did not dishearten him; but forming new alliances with some of the tribes who had hitherto stood aloof, he again aroused, and for four years more kept up, the terrors of the Romans and their allies. Once besieged by the Proconsul, Fabius Servilianus, the adopted brother of the other Fabius, who had thought, perhaps, to cage the lion by some snares which he would be too ignorant to escape, Viriathus broke forth with such impetuosity as to have the whole Roman army completely at his mercy. The mere barbarian would have murdered or tortured every man; but Viriathus wished for peace, and entered into a treaty with Servilianus, establishing himself as the ally of the Roman people, and securing his followers in the possession of their territories.<sup>4</sup> The conditions, which Viriathus may be

<sup>1</sup> A. C. 147—140.

<sup>2</sup> Flor., II. 17.

<sup>3</sup> Appian., De Reb. Hisp., 65.  
Liv., Epit., LIII.

<sup>4</sup> A. C. 141. Appian., de Reb. Hisp., 69. Liv., Epit., LIV. De Vir. Ill., LXXI.



said to have granted, much rather than asked, were ratified at Rome, where it would be cheering to fancy that his marvellous generosity of soul had awakened any sort of sympathy.

But the truth of the case with the Romans is unfortunately proved to be exactly the contrary to what a Christian would wish to suppose. In the very next year after the treaty, Servilius Cæpio, the brother of Servilianus, the Proconsul who had been spared destruction, was sent to Spain as Consul, with secret orders from the Senate to take any measures he could against the Lusitanian. Almost as soon as he was gone, the secrecy he himself had perhaps commended was thrown off, and war was openly declared against Viriathus,<sup>1</sup> who was attacked before he knew he had an enemy. Barely escaping destruction, but easily defying pursuit, he despatched three trusted officers to entreat some explanation from the enemy of the onslaught that had been made upon him, against all faith and gratitude, while to his followers he sent his summons on every side, calling them to arms. The answer of the Roman Consul to the messengers of Viriathus was to persuade them to a deed as base as any in the darkest passages of human history; and when they returned to their chieftain, it was to murder him, as he lay resting a moment in his armour. The Lusitanians chose another leader; but it was beyond their power to elect that the spirit of him they mourned with unfeigned grief should go with his authority to any successor, and

<sup>1</sup> A. C. 140. Appian., *De Reb. Hisp.*, 70.



within a few months they yielded to the employer of his assassins, the Consul Cæpio.<sup>1</sup>

Some sort of decency was observed by Cæpio in refusing to reward the murderers of Viriathus;<sup>2</sup> and it was so far forth creditable to the Senate and the people of Rome, that the returning Consul should himself have been denied a triumph.<sup>3</sup> But the motive, in either instance, was not so much, it is to be feared, a feeling of sympathy for the fallen as a desire to disparage his importance, and therefore to contradict the merit of his murderers. Even Cicero, removed as he was from the alarm or the contempt with which Viriathus was regarded by his contemporaries, yet found it in his heart to cast a slur upon the Lusitanian hero.<sup>4</sup> But it would have been far better to have lost than to have won the victory which thus deadened the sensibilities of a whole nation towards a foe of such a nature as Viriathus. The passions which laid Corinth and Carthage low were not nearly so fatal as those which first murdered and then slandered the Champion of Spain.

The larger dominion resulting from the conquests we have thus attempted to review was very apparent in the events and relations of the times. One system, if so it may be called, in which the Commonwealth betrayed its consciousness of expanding boundaries, was that by which it sought a surer hold upon

<sup>1</sup> Appian., *De Reb. Hisp.*, 75.  
Diod. Sic., *Reliq.*, xxxiii. 22.

<sup>3</sup> *De Vir. Ill.*, lxxi. Cf. Val. Max., ix. 6, 4.

<sup>2</sup> Eutrop., iv. 16. Appian (*loc. cit.* 74) says he referred them to the Senate.

<sup>4</sup> *De Off.*, ii. 11.



its former possessions, as by planting colonies,<sup>1</sup> or on its elder subjects and citizens, as by grants of land<sup>2</sup> or largesses of food<sup>3</sup> and games. Another sign, partially of the same sort, was the increase of the places in the prætorship from four to six,<sup>4</sup> as if that the administration of the conquered countries might in no wise detract from the watchfulness with which order was maintained at home. Yet the same severity as of yore could scarcely be maintained, where one king, like Prusia of Bithynia, was suffered to prostrate himself before the Senate and call its members his guardian gods,<sup>5</sup> or where another monarch, like Eumenes of Pergamus, was forbidden to approach any nearer to Rome than Brundisium, where he had already arrived when the edict<sup>6</sup> was issued against him,—not, as must be added, because he was feared, but rather because he was despised. Such things as these could not happen without encouraging the proneness for some time manifest amongst the victorious people to indulge in the pride, the luxury, and the oppression which triumph had first given and security then confirmed. But it was not sud-

<sup>1</sup> Vell. Pat., i. 15, and next note.

<sup>2</sup> Liv., xxxi. 4, 49, xxxiv. 45, 53, &c.

<sup>3</sup> Liv., xxix. 37, xxx. 26, xxxi. 4, 50, xxxiii. 42.

<sup>4</sup> A. C. 197. Liv., xxxii. 27. Cf. xl. 44.

<sup>5</sup> Χαίρετε, θεοὶ σωτῆρες, was his

exclamation. Polyb., xxx. 16. Liv., Epit., xlv. This sort of adulation was getting to be very common. See the address of the Rhodian ambassadors, Liv., xxxvii. 54. Beaufort has collected other instances, Rép. Rom., livre ii. ch. 3.

<sup>6</sup> “Ne cui regi Romam venire liceret.” Liv., Epit., xlvi. Polyb., xxx. 17.



denly possible, either that they should escape all restraint, or that their subjects should lose all protection; and the repeated decisions of the Senate and the Tribes, sometimes against individual, and sometimes against numerous offenders,<sup>1</sup> shew plainly that there was as yet no open privilege of disgracing the Roman name in the eyes of those who bore it proudly, or obeyed it tremblingly.

The cares of the Commonwealth in relation to its subjects in Italy, were still the paramount part of what may be styled its foreign policy. A broken account of a conspiracy originating just after the second Punic war with some slaves and captives, and spreading, as is possible, among the people with whom they were quartered,<sup>2</sup> exposes the dangers which were likely to arise from the contact of the Italians with strangers whose stouter spirit rebelled against the hardship and the ignominy of their fallen fortunes. On the other hand, the repeated complaints before the Senate from the Italian towns, which found themselves wellnigh empty in consequence of their inhabitants being drawn away from them to the metropolis, bring up to view the causes of discontentment, if not of sedition, that would be generated by the intercourse of the dependent people with their masters or superiors. Only an exceptional instance is to be found of these difficulties having been aggravated by any exceeding superciliousness on the part of the Romans, as when the Consul Postumius

<sup>1</sup> See note 3, p. 193 and text.

<sup>2</sup> In Setia and Præneste. Liv., xxxii. 26.



Albinus ran riot in authority and presumption at Præneste, commanding supplies and services beyond all that had been before proposed, and making a precedent, as the historian remarks, for the extortions of those who were to come after him.<sup>1</sup> In general, the treatment of these nearer subjects was much more considerate; and while they were anxiously controlled, their complaints, like the foregoing in relation to their emigrants, were carefully redressed,<sup>2</sup> and their feelings of attachment, as in other cases,<sup>3</sup> were thoughtfully strengthened by privileges of greater or less importance. Some people, indeed, still brooded over the humiliation they had inherited from their forefathers; but, comparatively speaking, the agony of defeat was passed away from Italy into remoter lands.

At about the time of the fall of Carthage, eight provinces were annexed to the Roman Commonwealth, under the names of Sicily, Sardinia, and Corsica, Nearer Spain, Farther Spain, Illyria, Macedonia, Achaia, and Africa, to which Cisalpine Gaul may be added as a ninth, although it was not yet formed into a province, but retained as a district more immedi-

<sup>1</sup> Liv. XLII. 1.

<sup>2</sup> As when 12,000 Latins or Italians generally, were dismissed from Rome by orders of the Senate, Liv. XXXIX. 13; or when additional measures were adopted to satisfy the murmurs which still continued, Ibid., XLI. 8, 9.

<sup>3</sup> Liv., XXXVIII. 36. It must also be observed, that the taxes

upon the Italians, as well as those upon the Romans, were much alleviated by the derivation of the great revenues of the Commonwealth from its foreign dominions. The customs, the returns of the public lands, and the tax upon the emancipation of slaves were all that continued to be raised in Italy.



ately dependent upon Italy. This vast extent of territory, with its multitudinous variety of population, transfixed by the same arms, had then been impaled, so to speak, within the same "laws of peace,"<sup>1</sup> as the institutions of the conquerors were significantly termed. The period of the first neighbouring conquests, stamped by the settlement of the Latins and the formation of the municipalities, to which succeeded the second period of Italian victories, with its system of the Latin Name and the alliances, was now followed by the third period of foreign dominions, of which the organisation and administration were devised with harder hearts and meaner aims. It is through these that we are chiefly enabled to estimate the contemporary character of liberty as it existed amongst the conquerors.

The description of the provinces may be made in very general terms, without losing any of its impressiveness in contrast with the system which one acquainted with the earlier history alone of the Romans might suppose them to have established throughout their wider realms. The great point in their organisation of the foreign countries was to keep them in subjection. Some local offices or customs might here and there remain, amidst the general wreck of ancient independence; but they were too shattered or too disjointed to make more than a few exceptions to the common ruin. So, too, occasional grants of peculiar immunities<sup>2</sup> were made to provincial districts or

<sup>1</sup> "Leges pacis." Liv., xxxiii. 30, &c.

<sup>2</sup> Such as the *Latinitas* and the *Jus Italicum*, immunities which



cities; but they were always dependent upon those who gave, and always, again, exceptional amongst those by whom they were received. The magistrate, supreme in military, and generally, also, in civil authority, was invariably sent out from Rome, year after year, at the expiration of his term of office there, under the various titles of Prætor, Proprætor, and Proconsul. It was his edict, so called, promulgated before taking possession of his government, that became the law of the province during his administration; although it was marked by this peculiarity, that while its subjects were held to unfaltering obedience, its author might observe or break its precepts almost as he pleased. The immediate attendants of the governor were a Quæstor, elected by the Roman people, to act as the treasurer of the province, and one or more Lieutenants appointed by their superior himself with the consent of the Senate. The governor was also attended by a chosen guard, called the Prætorian Cohort, whose services were required for his dignity rather than for his protection. There were, besides, dependent upon his appointment certain civil or judicial offices, to which the natives were sometimes admitted, and of which the holders, classified in local divisions, were summoned from time to time to meet in the conventions, as they were styled, which regulated the common legal and judicial affairs,—of course under the con-

are sufficiently intelligible from their names, except that they must not be conceived to have been in-

dividual but local grants. See the mention of other privileges in Cic., In Verr. act. II., III. 6.



troul, and casually the presidency, of the governor. It does not need any reflection to perceive the dominion indicated by such forms and authorities as these.

Our story, however, even without reference to its details, is but half told. The distinction of the Quæstor, mentioned above, and the suite of lictors and officers by whom he was accompanied, shewed forth the importance of the treasury committed to his charge. That system of subjection which we have described as the main point of the provincial institutions, if such they may be called, was adopted and continued only on account of the greater purposes to the accomplishment of which it could alone contribute ; its consequences being more important than itself, in the system of extortion it created, or, to say the least, upheld. No sooner was a country conquered, than the victorious general, joined by commissioners from Rome, proceeded, often with greater haste than judgment, to arrange the territory of the province, seizing large masses of lands as public property, and laying taxes upon those that were not seized,<sup>1</sup> as well as upon other private possessions, and sooner or later upon persons likewise, in order to fix the tribute thereafter to be provided. This tribute, into whatever branches it might be separated, was collected in such a manner as to make it even

<sup>1</sup> Not a square rood, however, even of private land, was held as an independent possession, the whole country being considered the property of the Roman Commonwealth. A more special enumera-

tion of the taxes on the provinces will be found in Heinecc., Ant. Rom., pp. 312 *et seqq.*, Ruperti, Rom. Alt., vol. III. pp. 842 *et seq.* The poll-tax was called "Pecunia Imperata." Liv., xxviii. 34.



more distressing than it would have been on account of its enormous amount alone. Whenever a new province was added to the Commonwealth, a body of the richer Romans would collect themselves into a company, by which a round sum was annually paid into the public treasury as an equivalent for the provincial taxes they were then entitled to gather for themselves. Preferring, however, their authority and luxury in the city to the obscure labour of gathering their revenues in distant lands, they sent out agents or collectors to do the work upon which the success of their speculation depended. These speculators were the Publicans, whose extortions, caused by the extravagant sums they paid to the government, and seconded by their agents, every man of whom was bent upon collecting a fortune for himself as well as the income of his employers, suggest the saddest scenes in the vanquished countries, drained to the dregs,—nay, drained of the dregs themselves.<sup>1</sup>

It was soon found out at Rome that the Prætors and Publicans required to be restrained, if they were to be kept in the places of citizens at home,<sup>2</sup> or if the provinces they governed and pillaged abroad were to be kept in submission. Various instances of prosecutions and sentences<sup>3</sup> led on at length to the enactment of a solemn law<sup>4</sup> against the exactions

<sup>1</sup> See the language used in the Senate itself, Liv., XLV. 18; this being as early as A. C. 167.

<sup>2</sup> Already, as Montesquieu observes, “les pachas de la république.” Esp. des Lois, livre XI. ch. 9.

<sup>3</sup> Liv., XLII. 7, 8, 22, XLIII. 7; and in Epit. XLVII., LIV.

<sup>4</sup> A. C. 149. The Calpurnian, as it was called. Cic., In Verr. act. II., IV. 25. Compare the laws of restriction upon accusations of this nature, as if they had



and cruelties of those who, judged according to the principles we have long seen in operation, were held culpable, not towards universal justice, but towards the Commonwealth, whose dominion and renown they had imperilled.

The apprehensions excited by the increasing extravagance of those individuals, to whose authority and fortune the wars were like successive tributaries, were not confined to the provinces, but were felt immediately at Rome. Sometimes it was the conduct of the elections that provoked the measures of restraint<sup>1</sup> which lie like fallen branches across the way we are pursuing; at other times, they seem to have been employed against more general offences, especially of the higher classes;<sup>2</sup> and then, again, their appearance is to be accounted for only by particular though frequent instances of prodigality, as at the banquets<sup>3</sup> of the rich, who were probably wont to drink deep and quarrel fiercely in their revelry. One singular episode remains to characterise the entire period. It is the relation at great length of the manner in which a law enacted during the second war with Carthage, in order to check the extrava-

been too numerous. Val. Max. III. 7. 9. Cic., Pro Sext. Rosc. Am., 20. These laws are sometimes supposed to have followed within a few years after the Calpurnian.

<sup>1</sup> See Liv., XL 19, 44, &c.

<sup>2</sup> As in the institution of the *Quæstiones Perpetuæ*, though the transfer of the trials to the cogni-

zance of particular magistrates might be differently interpreted. Cic., Brut., 27.

<sup>3</sup> As in the cases of the Orchian and Fannian laws, one of which limited the number of guests, and the other the expenses of the entertainment. See Smith's Dict. Gr. and Rom. Antiq., s. v. *Sumtuariæ Leges*.



gances of female attire and indulgence, was brought up for repeal about five years after the peace, and actually expunged, through the cajoleries or the menaces of the Roman women, as well as by the more usual exertions of their advocates.<sup>1</sup> But the tenure of the laws was commonly too firm to be thus destroyed by a single adverse claim, while the domain they held was of a much wider description. The efforts, for example, of a certain Tribune to transfer the election of the priests from their respective Colleges to the Tribes were resisted even by the Tribes themselves, though, in proposing his bill, he stood, it is narrated, facing the Forum, instead of turning to the other side of the rostra towards the Comitium, where the Patrician members of the assembly were collected.<sup>2</sup> It was, perhaps, a different spirit that caused the removal of the freedmen from their various Tribes into one alone,<sup>3</sup> wherein they would not only be powerless as citizens, but could be stigmatised as men. The cloudy authority that had appeared to be controlled since the days of Licinius and Hortensius was again escaping from its imprisonment through the incantations of warfare, and assuming the same colossal shape it had worn before, though

<sup>1</sup> See Liv., xxxiv., 1 *et seq.*

<sup>2</sup> The Tribune was Licinius Crassus. Varro, *De Re Rust.*, i. 2. Cic., *De Amicit.*, 25. A. c. 145. The Tribunes of these years were not, it must be plainly observed, the same in stamp with their predecessors. See the incidents in Liv., *Epit.* XLVIII., LV.

<sup>3</sup> Done by Sempronius Gracchus, then (A. c. 168) Censor. Liv., XLV. 5. Cf. *De Vir Ill.*, LVII. Some exceptions were made in favour of freedmen who had sons above five years old, or whose property exceeded a certain sum. See Liv., XLV. 15.



wealth as well as birth was now the secret of its cruelty and its impunity. No laws will now prevent the rich from becoming, like the Patricians of old, the sovereign class in Rome.

Nor was it merely in such respects as these that the Roman institutions began to shew the changes they could not escape in the midst of the influences they seemed to fear, as well as of the crimes they certainly allowed. The discovery of the secret rites of the Bacchanalia,<sup>1</sup> the foulest orgies that could be practised, even under heathenism, was equivalent to the discovery of the corruptions to which the last generations of the ancient world, especially in its central point at Rome, were doomed. The shameful mysteries were instantly suppressed; but it was impossible to return to the comparatively simple observances of the elder times; and when the books of Numa, or some so styled, were found beneath the Janiculum, they were publicly burned by order of the Senate, lest the instructions they contained should subvert the few remaining solemnities of religion by exposing their degeneracy.<sup>2</sup> It was harder to resist the innovations of the present than to defy the associations of the past; and though the philosophers who came as ambassadors from Athens were decidedly, but politely, dismissed by the Senate, because their eloquent learning was attracting too many hearers,<sup>3</sup>

<sup>1</sup> A. C. 186. Liv., xxxix. 8 *et seq.*, 41.

<sup>2</sup> A. C. 181. Liv., xl. 29. De Vir. Ill., iii.

<sup>3</sup> A. C. 155. The philosophers were Carneades, Critolaus, and Diogenes. Cic., De Orat., ii. 37.



and though, again, some foreign priests were more unceremoniously ordered to depart from Rome and out of Italy,<sup>1</sup> the very air men breathed was fraught with another life than had touched the minds of a former age. A single reverberation of the thousand blows, yet muffled as they were, upon the bars and bolts of ancient days, comes to our ears, though in uncertain tones, through a pair of laws which made the declaration of the auspices, once so august, the common privilege of all the magistrates of Rome.<sup>2</sup>

One name, over which we have several times passed with simple mention, appears in such prominence as to represent the earnestness with which many hearts yet clung to the earlier liberties of their country. It is that of Marcus Porcius, the first of his family or nation to be called Cato, the Wise.<sup>3</sup> He was born in Tusculum, where his house stood close to the birthplace of Curius Dentatus, then remembered as the hero of the olden time, and in many respects so near the standard of Cato in after years as to have been apparently the model of his youth. His first military duties were performed under Fabius Maximus, during the campaign which followed the defeat at Thrasymene; and the reverence for the generation preceding his own, instilled by the memory of his fellow-townsmen, was deepened by the example of his general. But as no one is made a

They were sent away at Cato's instance. Plut., Cat. Maj., 22, 23.

<sup>2</sup> The Ælian and the Fufian laws. Cic., De Prov. Cons., 19; In Pison., 4, &c.

<sup>1</sup> A. C. 139. Val. Max., i. 3, 3.

<sup>3</sup> Plut., Cat. Maj., 1.



man by mere admiration or even imitation of others, be they ever so great and wise, the energy of Cato in serving his country and in advancing himself was the mainspring of his career. He followed Claudius Nero on the march to the Metaurus, and crossed the seas with Cornelius Scipio, on the memorable expedition to Sicily and Africa. The ædileship, to which he was elected soon after the peace with Carthage, opened the way to independent achievements, such as he sought and found, a few years subsequently, in Spain, where, as has been previously related, he gained great victories in his consulship. Afterwards serving as lieutenant in the campaign decided at Thermopylæ against the Ætolians and their ally Antiochus, he finally returned to Rome, whither he had already removed from Tusculum, and was within a few years chosen to the censorship,<sup>1</sup> in which he so distinguished himself as to be styled in history Cato the Censor. It was in this office that he most strenuously laboured to secure the practice of his theories; and if any authority could have given him success, it would have been that on which, in former times, the punishment of the bad and the estimation of the good, not only in their lives, but in their memories, had been made to depend.

We know, before hand, that the policy of Cato failed as much when he was armed with the powers of the censorship as when he stood unarmed, yet strong in the love with which he was inspired by the past.

<sup>1</sup> A. C. 184. Liv., xxxix. 41.



If any image has been evoked, in the preceding pages, of the people and the circumstances with which he had to deal, it needs only to be joined with the figure he himself still wears in history, as the rough and zealous reformer, bred amongst sturdy men in Tusculum, taught in the school of honest, though they were sometimes savage, heroes, and introduced after such preparation into the midst of a city filled, in front, with the rich, the luxurious, and the proud, though there was a multitude, abject and indolent, to be seen, hardly to be counted, in the background. Cato's failure is then explained. In opposing his fellow-citizens, who denied the age that was gone except so far as it had prepared the age to come, Cato had no other means at his command but bitterness, accusation, and contention, through which there never has been, and never will be, a smooth course for reform or simple integrity towards a prosperous issue. "He seemed," as his admiring biographer writes, "to be of this opinion, that to prosecute the wicked was as good an occupation as an upright man could have ;"<sup>1</sup> and from the time when his battles abroad were over, his life was one long contest with those whom he arraigned or by whom he was himself accused.<sup>2</sup> The present could not be attracted nor could the future

<sup>1</sup> Plut., Cat. Maj., 15. So in sect. 16 :—"Cato averred that the Commonwealth had need of great purification, to effect which, the severest, not the mildest, physician was required." So likewise in Plut., Apophth., tom. vi. pp. 748 *et seq.*, ed. Reiske.

<sup>2</sup> "Quadragies quater accusatus, gloriose absolutus." De Vir. Ill., XLVII. Cf. Liv., xxxix. 40. The appellation of Orator, which he bore, is sufficient testimony to his power in accusing others and defending himself. Aul. Gell., xvii. 21.



be controlled by the past through angry reproaches or bitter menaces like those its almost solitary advocate employed.

But there are spots where the snow of the sternest life dissolves and the verdure reappears. The zeal which hurried Cato into the midst of carnage and of civil strife found other, though rarer, utterances. He wrote a treatise upon Rural Affairs, which still remains in proof of his desire to recall his countrymen to the simple pursuits of their forefathers, by pictures of country life in which the mind might be best interested and tranquillised, though, at the same time, the prospect of return to wars and public duties was not neglected.<sup>1</sup> The example he set in domestic life was much more touching: alone of all the Romans he declared that it was a higher praise to be a good husband than a great Senator;<sup>2</sup> and when a son was born to him, he fondled his infancy, instructed his childhood,<sup>3</sup> and confided in his manhood, as if he had no truer obligation to fulfil than that of a father. It was a different spirit that induced his doctrine of sparing the conquered wherever

<sup>1</sup> "Virum bonum quem laudabant [nostri majores], ita laudabant, bonum agricolam, bonumque colonum.....At ex agricolis et viri fortissimi et milites strenuissimi gignuntur, maximeque pius quæstus stabilissimusque consequitur, minimeque invidiosus: minimeque male cogitantes sunt qui in eo studio occupati sunt." Cato, De Re Rust. Proem., 2, 4. Some of the old Roman's darker traits

might be drawn from the same source:—"Plostrum vetus, ferramenta vetera, servum senem, servum morbosum, et si quid aliud supersit, vendat." Ibid., cap. 2. Cf. Plut., Cat. Maj., 21.

<sup>2</sup> Plut., Cat. Maj., 20.

<sup>3</sup> He wrote a history (*ιστορίας*) for his son "in large letters," that the boy might be able to study the institutions of his ancestors at home. Plut., Cat. Maj., 20.



the Commonwealth could be better served by mercy than by wrath ; for although there are repeated instances of his interfering in behalf of the subjects who came as suppliants to Rome,<sup>1</sup> there are few campaigns of more horrible cruelty than that he led in Spain, and when Carthage was already weak with age and with defeat, Cato was the first and the foremost to urge its destruction.<sup>2</sup> His errors, however, notwithstanding their frequency, have no further relation to the sketch we have here essayed in illustration of the attachment which might still linger amongst his countrymen towards their ancestors, than to take away all regret that the principles to which he clung had had their day.

No living men in Rome were more renowned, about the time of Cato's censorship, than Scipio Africanus and his brother Lucius, who obtained the title of Asiaticus in consequence of his victory, which Africanus<sup>3</sup> assisted him to gain over king Antiochus,

<sup>1</sup> As in preventing the triumph of a Proconsul who had done great wrong to the people among whom he led his soldiers. Liv., xxxvii. 46. See fragments of Cato's harangue or harangues against him, in Aul. Gell., x. 3, xiii. 24. So in backing the protest of the Spanish envoys against the exactions of their Roman governors (Liv., xliii. 2) ; in defending the people of Rhodes (Ibid., xlv. 25) ; and in procuring the release of the Achæan exiles (Plut., Cat. Maj., 19).

<sup>2</sup> Florus, ii. 15. Vell. Pat., i. 13. Plin., Nat. Hist., xv. 20. Cato died at the beginning of the

war, A. C. 149, being about eighty-five years old, and having outlived Scipio Africanus some five-and-thirty years.

<sup>3</sup> Unless Africanus had offered to go with his brother as a lieutenant, Asiaticus would never have got his command or won his name. Liv., xxxvii. 1. He had been Prætor before being Consul. Ibid., xxxiv. 54. Africanus had been Censor, and again Consul, besides being made the Princeps Senatus, in the interval between his return from Africa and his departure to the East. Ibid., xxxii. 7, xxxiv. 42, 44.



near Magnesia. The glory they had thus acquired, literally throughout the ancient world, was acknowledged and gratefully honoured by most of their countrymen ; but, like many men of great military distinction, the Scipios had conceived opinions of their own grandeur which no mere popularity could compensate, and they, therefore, soon lost that they had at first obtained. It was rumoured, apparently before their return from the East, that they had carried matters there, the one as commander and the other as lieutenant, with much too high a hand ; and after Asiaticus had delayed for two years<sup>1</sup> to produce the accounts of the treasures he had received from the Syrian monarch, he was openly required by the Senate<sup>2</sup> to defend himself against the accusations of which he was too notoriously the object amongst a large number of his fellow-citizens. Asiaticus, who would never have gone beyond the most common limits of service or repute but for his renowned and active brother, straightway prepared to obey the directions of the Senate ; but when he appeared with his papers, they were snatched from his hand by Africanus, who tore them to pieces with some bitter expression against his adversaries.<sup>3</sup> On the de-

<sup>1</sup> Until A.C. 187.

<sup>2</sup> The details of the following narrative are so contradictory in the ancient authorities, that my version is very conjectural. See Liv., xxxviii. 50 *et seq.* I give the events, which some have separated, connectedly, because the

part of Gracchus, presently to be mentioned, in them all, must have been in the single year of his tribunate. It is less certain that he married Cornelia in the same year, or even in her father's lifetime. See Plut., Tib. Gr., 1, 4.

<sup>3</sup> Val. Max., iii. 7, 1. Liv.,



parture of Africanus to Etruria, where he was then employed on the public service, the proceedings he had apparently quashed were revived against his brother, and pressed with such earnestness, as if to make the most of his absence, that Asiaticus, helpless without him, was tried, condemned, and just on the point of being committed to prison, when Africanus, who had purposely hurried back, appeared in the Forum, and effected the release of the criminal by some forcible means of which the account fails.<sup>1</sup> With all his haughtiness, however, Scipio could not have prevented his brother from being taken into custody again, had he not procured the aid of Tiberius Sempronius Gracchus, the same who was afterwards Prætor in Spain and Censor at Rome, then one of the Tribunes. He, though hitherto an enemy of the Scipios, and especially of Africanus, came forward to interfere in their behalf, and actually protected Asiaticus against the sentence of his colleagues, with some reproaches, however, upon the violence of which the Forum had been made the scene.<sup>2</sup> It seemed as if the laws were to be set at defiance, although it might still be necessary to make a show of obedience, as in this case, at the moment of their infringement.

But though Gracchus was rewarded by the hand of Cornelia, the famous daughter of Africanus, and

xxxviii. 55. "Indignantem, quod, quum bis millies in ærarium intulisset, quadragies, ratio ab se posceretur." This "quadragies" kept

back amounted to the moderate sum of four million sesterces.

<sup>1</sup> Liv., xxxviii. 56.

<sup>2</sup> All this is unusually confused. Liv., xxxviii. 56, 57, 60.



honoured, even amongst those whose designs he had baffled, for having sacrificed his enmity to the defence of the Scipios, the animosity against his new relatives was but increased by their escape from justice ; and Africanus himself was soon after accused, on charges apparently extended wide in order to admit of no evasion, even if they could in part be broken down. He had no mind to be pursued, much less ensnared ; and when his day of trial arrived, he advanced, with a crowd of friends and retainers, through the assembly to the rostra, from which he spoke in the midst of universal silence. “It was on this day, O ye Tribunes and citizens, that I conquered Hannibal ; and to-day I shall go to the Capitol to thank the gods who dwell there that I was allowed the will and the power to protect and exalt the Commonwealth. Come with me, if ye will, O men of Rome, and pray the gods that ye may have other leaders like to me !”<sup>1</sup> From his youth, Scipio had believed himself, or pretended, to enjoy the peculiar favour of the immortals ; and there were many in the assembly to think that the gods were speaking through him, as he stood firm and majestic in the presence of his enemies. And when he turned to ascend the Capitol, the Tribunes and their attendants were left alone in the Forum, either to wonder at their own daring in assailing so great a man, or else to resolve that, though the laws were that day set at naught, they should be the more piously vin-

<sup>1</sup> Liv., xxxviii. 52. Appian., De Reb. Syriac., 40.



dedicated, when the people, returning to their senses, should remember the freedom they not only allowed, but enjoined.

Not yet, indeed, could the liberty of Rome be laid waste and low; or Africanus would not merely have resisted, but overthrown, her laws, like those who triumphed over her and them in after years. The day of the procession to the Capitol was the last of any show,<sup>1</sup> as the historian phrases it, to Scipio. Again adduced before the Tribes, he did not wait his trial, but withdrew to an estate he had at Liternum, on the Campanian shore, whence it was at first proposed to bring him back by force, but where he was allowed, through the protection of his son-in-law, Gracchus, to end his days in silence and retirement.<sup>2</sup> His brother Asiaticus was afterwards brought up to receive the sentence<sup>3</sup> he had before evaded; and though he strove to regain his lost position, it was over him that Cato was elected Censor,<sup>4</sup> as if the ancient dispositions of Rome, which Cato represented, were prevailing against the changing temper which brought the Scipios, in whom it was personified, to shame.

One other Scipio, the conqueror of Carthage, Africanus the Younger, whom we have met and shall meet again, belongs to these years. He was a mem-

<sup>1</sup> "Hic speciosus ultimus dies P. Scipioni illuxit." Liv., xxxviii. 52.

<sup>2</sup> Liv., xxxviii. 52, 53. "Silentium deinde," he adds, "de Africano fuit."

<sup>3</sup> Liv., xxxviii. 55.

<sup>4</sup> One of Cato's first judgments was to deprive Scipio Asiaticus of his honours as a Knight. Liv., xxxix. 40, 44.



ber of the great family whose name he bore, by adoption,<sup>1</sup> not by birth; and though his life be characteristic, as that of every man must be to a greater or a less degree, of the contemporary history of his nation, the younger Africanus was of a totally different stamp from the elder. Of great renown as a general, and remarkable for his adherence to ancient virtues and institutions, he was also alive to some of the better influences, and sensitive to all the fearful perils, to which his country was exposed in its wonderful and expanding destinies. When Carthage was falling, he wept, and thought of the fate that might be in store for Rome;<sup>2</sup> and when he was praying before his countrymen as their Censor, he asked of the gods, not that the Roman dominions might be increased, but that they might simply be preserved.<sup>3</sup> His name may stand for an introduction to the advancing age; but only, as we shall hereafter perceive, as that of one who dreaded alike the good and the evil that appeared.

The name of his friend and favourite, Polybius, may stand for a conclusion of the present period, and as a type of the highest and the most fortunate class amongst the conquered. Into the sorrow and the degradation which racked the universe, as it might be called, that now swung chained to Rome, we can-

<sup>1</sup> He was a son of Æmilius Paullus, and adopted by the elder son of Scipio Africanus. His eulogy may be read in Diod. Sic., Reliq., xxxi. 26, 27.

<sup>2</sup> Appian. (after Polybius), De Reb. Pun., 132.

<sup>3</sup> Val. Max., iv. 1, 10. "Satis bonæ ac magnæ sunt res populi Romani. Itaque precor ut eas perpetuo incolumes dii servent."



not penetrate ; nor would any care to do so, were they able, unless they desired to see how deep the crimes and wrongs of warfare could sink beneath the tread of the ancient conquerors. It will suffice to measure the depression wrought amidst that portion of the vanquished who seemed to be particularly spared. Polybius, by birth an Arcadian, was the son of Lycortas, the friend, afterwards the successor, of Philopœmen, in command of the Achæan league. He was, therefore, associated from his youth with all that yet remained of the freedom and the hopefulness of his nation ; but his entrance upon manhood was saddened by the death of Philopœmen, whose funeral urn Polybius himself bore,<sup>1</sup> amongst the mourners of their last great man. Young as he was, Polybius saw the only chance of safety to his broken country was in bending before the gales that swept across the seas, and for some few years his policy was followed with advantage. But of a sudden, the charge was brought against the league that it had not aided the Romans as it ought in the overthrow of Macedonia ; and no assurances or exculpations could prevent the charge from being followed by a demand of one thousand Achæans as hostages for the future submission of their nation. Amongst the thousand was Polybius ; but while many of his fellow-countrymen were languishing or dying in their seventeen years of banishment, he, through the protection of Scipio, and by his own activity, was

<sup>1</sup> Plut., Philop., 21. Philopœmen died A. C. 182, when Polybius was between twenty and twenty-five years old.



variously employed in expeditions, researches, and teachings, until the exiles were allowed to return, when he went back with them to Achaia. He tarried there only a year or two ; the attraction of the power that was to be seen and felt amongst his Roman patrons being stronger by contrast with the exhaustion of all energies in his own country, whose very breath seemed to be retained only by the quarrels of his countrymen.

When these were ended and the breath of Achaia and her confederates was actually smothered by the disastrous war in which Corinth fell, Polybius again returned home, to use his influence with the conquerors in protecting the conquered, amongst whom he travelled from place to place with words of advice and consolation, until the wounds of defeat were healed, and the Peloponnesus, ruined in constitution, was composed to slumber and subjection as a Roman province. The mission was as successful as it was benevolent ; and the people whom Polybius instructed how to exchange the nominal independence they could not preserve for the dependence to which alone they were adapted, set up his statues and inscribed them with grateful testimonies.<sup>1</sup> Polybius has left his own confession of submission in his famous history, in which he follows the career of the Roman armies through the three-quarters of a century that ended with the downfall of his country. Even history was thus absorbed in Rome ; and he who was far the greatest historian of his age, or of any age imme-

<sup>1</sup> Paus., VIII. 30, sect. 4 ; 37, sect. 1. Polyb., Reliq., XL. 9, 10.



diately preceding or succeeding, devoted his energies to describe her conquests with but a single palliation for the vanquished — that it was impossible to resist the impulse and the vigour which the institutions of Rome imparted to her citizens,<sup>1</sup> in whose presence it became the dependent Greek to acknowledge the efficacy of liberty.

In reviewing a period like that embraced within the chapter here, at last, concluded, the Christian is naturally tempted to exaggerate the miseries, the discords, and the passions he has found, beyond all the evil which they actually wrought in the time of their existence. It is his consolation, on the other hand, to believe that the concentration of power and of corruption which he has seen to be prepared and partially achieved in a single city upon the earth, was ordered in mercy to mankind, however much they may appear to be worn and torn. The same faith foresees the retribution appointed to those who seem at first only to profit by the spoils of victory and the overthrow of foes. Already hated by their subjects,<sup>2</sup> corrupted by their multiplying slaves,<sup>3</sup> and injured by one another, the Romans whom we have followed in the increase of their liberty must now be watched in its vain defence and in its sure decay. “A sound

<sup>1</sup> Polyb., III. 2, VI. 1.

<sup>2</sup> “Non rammenti a qual eccesso  
Il tuo orgoglio è un dì venuto?  
Non rammenti il mondo oppresso  
Quante volte fu da te  
Ricomprato, rivenduto,  
Ricalcato sotto il piè?” &c.

*Fiorentino, Roma.*

See the familiar lines in Juvenal,  
Sat., VIII. 94 *et seq.*

<sup>3</sup> See Blair’s interesting Inquiry  
into the State of Slavery amongst  
the Romans, pp. 19 *et seq.*



of battle is in the land and of great destruction ;” but it is scarcely heard before “the hammer of the whole earth is cut asunder and broken.”<sup>1</sup> And the prophecy against Babylon returns, fearful and solemn, against Rome.

<sup>1</sup> Jeremiah, L. 22, 23.



# THE LIBERTY OF ROME.

## BOOK III.

### THE

### PERIOD OF DECAY.

## LIBERTY OF ROME.

### CHAPTER I.

### THE GRACCHI.

## BOOK III.

### PERIOD OF DECAY.

A. C. 137—60.

“Istoria lunga,

Dai Gracchi in poi fian le romane stragi.”

ALFIERI, *Bruto Secondo*, att. 1. sc. 1.

“Inde jus vi obrutum, potentiorque habitus prior; discordiæque civium antea conditionibus sanari solitæ, ferro dijudicatæ.—VELLEIUS PATERCULUS, II. 3.



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## BOOK III

PERIOD OF GREAT

A. C. 187-00

“I have been  
the Greek in his  
Aristotle, Plato, Aristotle, etc.  
I have been in the  
the Greek in his  
Aristotle, Plato, Aristotle, etc.  
I have been in the  
the Greek in his  
Aristotle, Plato, Aristotle, etc.”



# THE LIBERTY OF ROME.

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## BOOK III.

### PERIOD OF DECAY.

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#### CHAPTER I.

##### THE GRACCHI:

##### REFORM.

“Tiberius et C. Gracchus vindicare plebem in libertatem, et paucorum scelera patefacere cœpere.”—SALLUST, *Jug.*, XLII.

“If that people had not been prepared and ripe for destruction, there had happened an alteration which might have given some respite to it.”—CLARENDON, *Hist. Rebellion*, book XIII.

“OFTEN,” exclaimed the Censor Cato before the Roman people, “often have ye heard me complain how our Commonwealth is labouring under two different vices, avarice and luxury, those two that have been the bane of all great empires.”<sup>1</sup> His complaints are susceptible of a broader application than he intended; and the luxury he censured may be interpreted as the abuse of power already gained, while the avarice he meant to stigmatise may be considered as the desire of dominion not yet acquired. This desire might be shewn and this abuse indulged by the rich towards the poor in Rome, or by the

<sup>1</sup> Liv., xxxiv. 4.



Romans collectively towards the nations they had overcome ; but in either case, the vices, as Cato called them, were equally fatal. Their origin is explained by the history of preceding years, which describes the relations between the bond and the free, the foreign and the native, the wealthy and the needy classes of the Roman world. It remains to pursue their growth, if growth they had, or to behold their extinction, if extinction was to be their doom. It was sure that some attempt, at any rate, would be made to scare the flock of devouring birds from the living body on which they were about to pounce, before it should become a carcass, dead and torn. But that the attempt to save the Commonwealth and its liberties would succeed, was not so sure.

Yet there, in the midst of perilous changes and ill-boding omens, was the home which a woman preferred to the offer of a crown and a royal spouse<sup>1</sup> in another land. The daughter of Scipio Africanus and the widow of his defender, Sempronius Gracchus, Cornelia, was living, it seemed, to educate her children in the love of their name, the honour of their country, and the resolution to avert the evil days that were at hand. Proud as she was of her father and her illustrious race, she was prouder still of the hopes which were yet to be fulfilled in her sons ; and to the two who survived, when one after another had been taken away, she clung with an affection that watched every

<sup>1</sup> Ptolemy of Egypt (whether certain). Plut., Tib. Gracch., Philometor or Euergetes is un- 1.



moment of their youth as though it were the beginning of an age of usefulness or fame. The people, who looked up to her as to a queen, caught something of her enthusiastic confidence in her children ; while those who were admitted to her house, or were trusted to complete the education she began,<sup>1</sup> appear to have been persuaded, as of themselves, that the mother of the Gracchi was, as she deserved to be, the mother of sons who would grow to be heroes as naturally as they grew to be men.

Tiberius Sempronius, the elder of the two, was, while yet a youth,<sup>2</sup> elected by the Augurs to a place in their college, and was soon after taken by Scipio Africanus on the expedition which terminated with the fall of Carthage. The gallantry he shewed in the army, of which he was the first to mount the walls of the fated city, was, in his day, a necessary element of the virtue he practised in retirement and cultivation at home. Some years glided away in peaceful studies and amongst earnest friends, of whom his mother, his brother, and his early instructors seem to have been the nearest, when Tiberius, still under the age prescribed by law, received the appointment of Quæstor to the consular forces employed at the siege of Numantia, in Spain.<sup>3</sup>

<sup>1</sup> "Gracchorum eloquentiæ multum contulisse accepimus Corneliam matrem," &c. Quint., Inst. Orat., i. 1. "Filiis non tam in gremio educatos quam in sermone matris." Cic., Brut., 58. Every one remembers the story of Cornelia and her jewels. Val. Max. iv. 4, init.

<sup>2</sup> If he was born, as Plutarch implies (C. Gracch., 1), in A. C. 163, and was elected Augur before going to Carthage, A. C. 147. Plut., Tib. Gr., 4.

<sup>3</sup> A. C. 137. Plut., Tib. Gr., 5.



The people of Numantia, heroic as well as barbarous, were almost alone in holding out against the Roman forces after the defeat of Viriathus and the Lusitanians. Already for several years assailed or besieged when the army which Tiberius Gracchus accompanied was sent against them, they were nevertheless still fresh enough to oblige Hostilius Mancinus, the Consul in command, to attempt a retreat, and, failing in that, to propose a peace. The name of Gracchus was renowned amongst most of the Spanish tribes, in consequence of the treatment they had received from the father of Tiberius in his proconsulship, some forty years before ; and when Mancinus, despairing of safety, asked a truce, the Numantines answered that he must send his Quæstor to treat with them. Tiberius went ; and through his influence, derived not only from his father's name, but from his own demeanour, he obtained more favourable terms than would otherwise have been granted to his comrades. It was not, as we have often seen, the wont of the dignitaries who sat at ease in their curule chairs, or of the populace who thronged the Forum in tumultuous assemblies, at Rome, to shew much respect for a treaty they thought degrading, however necessary they might acknowledge it to have been ; and when Mancinus returned from the scene of his defeat, it was soon decided to surrender him to the enemy, in order that the concessions he had made to save his army might, as far as was still possible, be obviated. At the same time, the actual author of the treaty, Tiberius Gracchus, in-



stead of being surrendered likewise, was praised for having saved his fellow-soldiers, and blamed only because he zealously opposed the sentence as universally as it was unjustly pronounced upon the Consul. Whatever honour Tiberius might acquire was in small proportion to the detestation aroused in a nature so sensitive as his, against the wrongs done both to Mancinus and to the Numantines. Nor was his experience in the evils of warfare and conquest so brief as to fail of pointing out the offensive causes from which they sprang.

He had seen more of these than has yet been told, on his journey to Numantia and on his return, in the desolate country through which he passed, even within the bounds of Italy. Fields tilled by barbarians or slaves,<sup>1</sup> and houses occupied by stewards, or by families of which the most enterprising members had long since gone to Rome or across the seas, looked sadly to Tiberius travelling by, as if they claimed the living beings whom they had once known, but whom they knew no more. Again the sensitive spirit was touched; and Tiberius conceived<sup>2</sup> a higher duty than could be performed in any war, which he might one day fulfil in peace amongst his countrymen.

Three years afterwards,<sup>3</sup> at the age of twenty-eight or nine, Tiberius Gracchus was elected Tribune. If the preparation of his previous life had not been lost,

<sup>1</sup> "All Italy," says Plutarch, "was thinned of freemen." Tib. Gr., 8.

<sup>2</sup> According to the testimony of his own brother. Plut. *loc. cit.*

<sup>3</sup> A. C. 134. Chosen in the summer and entering upon office in the winter.



it was with full persuasion of the evils abroad and at home which needed to be repaired, that he entered upon an office best suited by its popular character to the achievements of a reformer and a faithful man.

As in every mass of evils one will grow up more rankly than the rest, sometimes seeming to be the only one that grows at all, so in Rome, the decline, partly of the middle, but more especially of the lower citizens, appeared almost alone to claim compassion and redress. It was once attempted to be stayed by a man as learned as any in the philosophy and the religion of his times, Caius Lælius, the friend of the younger Africanus, and the patron of the poet Terence ; but his apprehensions of difficulty overcame his desires of beneficence, and Lælius went thenceforth by the name of Sapiens, the Wise,<sup>1</sup> because he knew that the work needed, not to be done, indeed, but to be left undone. The wisdom of Tiberius Gracchus was of an exactly opposite description, too ardent rather than too cold, too daring rather than too cowering, before the objects to which it was turned by his affection or by his ambition. His mother besought him that she should be called no more the mother-in-law of her daughter's husband, Scipio Africanus, but be distinguished by the name of her own son. His former teachers, now his friends, urged him to do what they had long, perhaps, discussed together and prepared ; and the appeal of the people, by petitions and writings on the walls,<sup>2</sup> entreating anxiously that the project already noised abroad as in

<sup>1</sup> Plut., Tib. Gr., 8.

<sup>2</sup> Ibid.



his mind might be begun, was sustained by the approval of many of the highest citizens in Rome,<sup>1</sup> whom Gracchus privately consulted. Thus sustained and thus encouraged on all sides, save that from which he could expect nothing less than opposition and even outrage, the Tribune laid an Agrarian law before the Tribes.<sup>2</sup>

Its terms were very simple, renewing the law, now over two centuries old, of Licinius Stolo, that no one should occupy more than five hundred jugers of the public lands, but with this proviso, that any father rich enough to do so might hold two hundred and fifty jugers besides, in the name of his son, or even retain five hundred in addition to his own, if he had two sons to serve as the nominal occupants.<sup>3</sup> To these as the principal, other clauses were subjoined, ordering the division of the domain surrendered to the Commonwealth among the poorer citizens,<sup>4</sup> on the condition that their portions should be inalienable,<sup>5</sup> and appointing, on the other hand, the payment of some equivalent to the rich for the improvements and the buildings upon the estates they lost.<sup>6</sup> Some words reported as those of Tiberius himself explain the pur-

<sup>1</sup> Licinius Crassus Mucianus, afterwards Chief Pontiff; his brother, Mucius Scævola, orator, jurist, and in that year Consul; and Appius Claudius, the father-in-law of the Tribune. Plut., Tib. Gr., 4, 9. Cic., Acad. Pr., II. 15.

<sup>2</sup> Now in A. C. 133.

<sup>3</sup> Appian., Bell. Civ., I. 9. Liv., Epit., LVIII.

<sup>4</sup> App., *loc. cit.*

<sup>5</sup> App., Bell. Civ., I. 10, 11.

<sup>6</sup> Plutarch (Tib. Gr. 9) says that the whole value of the lands was to be paid to the occupants; but it is totally incredible, as well as contradictory to the tenor of Appian's account.



poses of the law. "The wild beasts of Italy have their lairs and dens ; but the men who fight and die for Italy have nothing else save light and air, as they stray, houseless and homeless, with their wives and children. Your generals," he cried, "do but mock their soldiers, in bidding them combat for their temples and their graves ; for, in such a multitude, not one has either the altar or the sepulchre of his fathers left him to defend. They go to war and perish, while others live at ease and in the midst of luxuries ; and though they bear the name of lords of the world, there's not a handful of earth for them to call their own."<sup>1</sup> And, with more especial reference to the appearance and condition of Italy in general, he is said to have added :—"A warlike people has been reduced under our very eyes to poverty and desolation ; and in their place has risen up a crowd of slaves, useless in war, and at all times faithless."<sup>2</sup> The design of his law was, therefore, to reinstate the ancient class of freeholders in the independence they had lost ; perhaps to form a new class out of those who never had been freeholders ;<sup>3</sup> at all events, to uplift the fallen, and at the same time to humble the proud, so that there might be no more who were bloated with luxury, no more who were wasted by decay, amongst his countrymen.

<sup>1</sup> Plut., Tib. Gr., 9. Cf. Florus, III. 14 :—"Depulsam agris suis plebem miseratus est, ne populus gentium victor orbisque possessor laribus ac focis suis exularet."

<sup>2</sup> App., Bell. Civ., I. 9.

<sup>3</sup> Ὁ μὲν νοῦς τοῦ βουλευματος ἦν οὐκ ἐς εὐπορίαν, ἀλλ' ἐς εὐανδρίαν. Ibid., I. 11.



Such was the scheme, fair to look upon, and apparently soundly framed in the consultation and long delay through which it had been raised ; but the truth must be confessed, that it was built upon the sand, in forms so sharp, and of materials so ill-composed, as to make its downfall sure. The power of the rich, established, as we have read, through victories abroad, too great to be perpetually restrained by the whole lengthened chain of laws at home, was now expected to reduce itself within dimensions which a single law prescribed. Some there might be, like the Tribune's friends, to part with the lands bequeathed them by their fathers, in order to restore the peace and plenty they believed to have once existed ; but where one was willing to confess, a hundred stood fierce to deny, the claim upon them. The enterprise of benevolence was no sooner proposed than it threatened to become one of hostility ; and if there were any offers to or from Tiberius of altering the law he had brought forward, so that the rich might be indemnified for their lands, they were never seriously entertained on either side. On the part of the Tribune, there was the consciousness of rightful design and the excitement of the first advance towards its execution ; and had he wished to yield, the cause was no longer under his control, since he had made it the public property of his partisans. On the other hand, his adversaries angered, but not yet so vehement in resisting as he or his friends were in pressing forward his proposals, contented themselves with the promise they easily obtained from Octavius Cæcina, a



rich young Tribune,<sup>1</sup> that he would not suffer his colleague, and, as it appears, his friend, to do them harm. Tiberius, full of the most generous, even if it were sometimes too hasty enthusiasm, entreated Octavius, reasoned with him, threatened him, and offered to pay for all the land that might be taken from him ; but without avail.

The exultation of the rich in the success of the expedient they had adopted was short-lived. Tiberius changed the terms of his bill to bear more directly against his adversaries, and issued an edict, in virtue of his authority as Tribune, suspending all public business until the people should have decided upon his project. But when the assembly was actually convened, the strife between the parties for and against the law ran so high, that Tiberius consented to refer it to the Senate, as if he now trusted that its usefulness, if temperately urged, would move its adversaries in its behalf. It was in vain, however, that he told them in the Senate<sup>2</sup> of the pecuniary losses he was himself to meet, if he succeeded ; in vain he urged personal arguments and general motives in his support ; he saw he had no prospect of sympathy from the Senate, or of triumph amongst the people, unless he threw off all restraints and dared to brave the laws themselves, which seemed to protect the dog-

<sup>1</sup> "A grave and wise young man," says Plutarch, Tib. Gr., 10.

Plutarch says he was Tiberius's friend ; Dion Cassius speaks of him as an old rival, though a kinsman, and at present, therefore, a

voluntary antagonist. Fragm. Peir-esc., LXXXVII.

<sup>2</sup> His discourse is in App., Bell. Civ., i. 11.



ged selfishness of his opponents against his more charitable aims.

He returned to the Forum ; tried once more to move Octavius by threats and exhortations ; then declared he would appeal to the people. " Will Octavius," he asked, " propose that Tiberius Gracchus give in his resignation ?" Octavius refused. " Then Tiberius will demand the resignation of Octavius ;" and the Tribes were dismissed to meet again on the next day, prepared to decide whether the inviolability of a Tribune should stand in the way of justice and the regeneration of the Commonwealth. It is fair to state the question before them in terms thus strong. It is positively due, besides, to the memory of a man whose heart, as true as any in a Roman breast, knew no calmness or patience in its pulsations, to remember what we are told of the plots already formed against his life, and the dagger he already wore beneath his robes.<sup>1</sup> The danger to his person but confirmed the resolution, already inspired by the danger to his hopes, of regarding the laws before or behind him as they ought to be, rather than as they were.

A greater crowd poured into the Forum on the following day, and with more divided opinions. Many of the warmest friends Tiberius Gracchus had must have come full of apprehensions that he was hurrying too fast to draw any cause after him to its advantage ; but there were more, undoubtedly, amongst his nearest connections to excite than to

<sup>1</sup> Plut., Tib. Gr., 10.



restrain him ; and if the night or the morning had been spent by some in urging their remonstrances against his course, others had thronged his house to bid him be of good cheer against his adversaries, though the whole college of tribunes should unite with them and their champion. While the partisans of the reformer, however numerous, were thus opposed to one another, his antagonists appeared with serried and deepened ranks, in which a large number, who had hesitated about supporting either side, were now arrayed, determined, they said, by the measures Tiberius threatened to pursue. He rose before the assembly, excited, yet resolved, first to entreat Octavius that he would retract his veto, and then, as this was more vainly attempted than before, to address the people and propose the deposition of his colleague for contempt of their will and defiance of their necessities. The Tribes began to vote ; one after another, up to seventeen, declared their consent to the proposal ; another Tribe voting the same way would make a majority, and decide the question ; when Tiberius, pale, perhaps, and surely agitated, called out that the proceedings should be stayed. The people could scarcely fear, much less could the rich men and their retainers hope, that he repented of his design ; but all eyes turned with anxiety to the rostra where the Tribunes sat, and where Tiberius stood, with arm uplifted, as he motioned to have the voting cease. It was not to recall the Tribes which had decided, nor to urge those which had not yet voted to adopt a contrary course ; nor was



it because his courage failed, that he interrupted the assembly ; yet, if we read his mind at all, he plainly appears to have acted from the doubts he could not quite suppress of the wisdom or the virtue he was shewing in violating the very laws for which his forefathers had thrown off oppression, and borne with fear and hardships on the Sacred Hill.

But the liberty that had been reared in Rome through strange and frequent difficulties was destined, as we are now beginning to perceive, to suffer through the means employed to heal, as well as those used to inflict, its bruises or its wounds ; and he who sought with all his mind and strength to do it service could not avoid doing it an injury. Tiberius Gracchus, doubting, as we have surmised, yet not repenting, turned from the Tribes, who waited his commands, to Octavius, beseeching him to desist from his opposition before the eighteenth Tribe voted, and while the opportunity yet remained of declaring his inviolability as tribune. The tears were seen to stand in Octavius's eyes, as he sat silent in presence of the multitude whom a word from his lips would have turned to rejoicing that they were saved from passing the sentence preferred against him. If he had not been a heathen and a Roman, we might imagine him to have wept for his colleague, that the noblest designs of that generation exacted such support, rather than for himself, that they excited such resistance as he now both represented and upheld. But he simply bade Tiberius do what he would ;<sup>1</sup>

<sup>1</sup> Plut., Tib. Gr., 12.



and the Tribes went on to vote and to declare Octavius Cæcina to be deposed. Gracchus ordered him to be led from his place amongst the Tribunes into the midst of the multitude beneath, but protected him against the violence with which he was instantly menaced by those who were indignant at his firm demeanour. A client of Tiberius was elected in the place of Octavius ; and the bill for the surrender and the division of the public lands was carried, without any further opposition from its adversaries.<sup>1</sup> Its author defended the means by which it had been brought to pass ; saying, that “ the Tribune was sacred only in the service of the people,” and that “ it was for them to decide whom they would have to serve them : ”<sup>2</sup> arguments, as his opponents might have retorted, to excuse licentiousness and anarchy rather than to secure order or actual liberty.

The preceding account has been purposely given in detail, in order to exhibit, as far as our means allow, the trials to which a man of generous desires was subject in undertaking to face the wrong and to uphold the right in Rome. No one could have set himself aside more completely than Tiberius Gracchus did, in proposing a measure by which he would be obliged to forfeit a large proportion of his own patrimony in order to relieve the misery of a class that to most men in his position seemed unworthy of relief under any circumstances, and appeared to none,

<sup>1</sup> App., Bell. Civ., i. 13. Plut., Tib. Gr., 12, 13.

<sup>2</sup> An harangue of considerable length is reported by Plutarch, Tib. Gr., 15.



perhaps, besides himself and his immediate counselors, to deserve consideration, except so far as its misery affected the prosperity or the name of the Commonwealth. But, on the other hand, the moment in which Tiberius brought his own impulses forward as a rule of action, in place of the only laws that there were to guide him in the world, was, though apparently the beginning of success, that, in reality, of failure. It could not have been the will of Providence that any men of old should make their laws eternal; but it equally appears to have been ordained, that the attempts to reform the institutions established under heathenism, by bringing them into nearer accordance with the wavering truths which were here and there perceived, should always involve some future or some present catastrophe as well to the institutions as to the reforms.

The Agrarian law, to which we return, requiring the appointment of three commissioners to receive and to apportion the public domain, Tiberius himself, his brother Caius, then at Numantia, and his father-in-law, Claudius, were nominated,<sup>1</sup> according to the usual custom of intrusting the execution of any law to its author and his chosen assistants.<sup>2</sup> Although the term of the commission was limited to a single year,<sup>3</sup> its members were invested with authority that would have been sufficient to complete the designs of the law, had not the resistance of its opponents, or, as they called themselves, its victims,

<sup>1</sup> Liv., Epit., LVIII. Plut., Tib. Gr., 13.

<sup>2</sup> App., Bell. Civ., I. 13.

<sup>3</sup> Ibid., I. 9.



on the one hand, and, on the other, the dissatisfaction of its supporters, increased beyond all expectation and control. The Senate at once refused the common outfit to which the commissioners were entitled, and even denied Tiberius an adequate sum to meet the expenses he would incur in the discharge of his duties, though he might set about them in the humblest manner.<sup>1</sup> He went forth, however, upon his mission, attended by troops of delighted and hopeful followers ; and for the instant, when Italy seemed waiting her regeneration at his hands, the murmurs behind him appeared to cease and the perils before him to disappear. But the fair prospects of which he had obtained a glimpse were soon shut out by gathering perplexities. Of the rich, there were some to deny their occupation of any public lands, and others to claim so large indemnities as to make it almost impossible to recover the domain in their possession without the appearance of violence or injustice ; while on the side of the poor was a swarm of expectant proprietors, contending for the choice of fields and dwellings, together with those whose portions were assigned them, but whose desires were far from being gratified. Tormented by friends and foes, but not despairing, Gracchus returned to Rome to urge another bill before the people, by which the labours of the commissioners might be partially relieved ; and at his bidding, they were formally authorised to determine for themselves which were the private and which the public estates throughout the country.<sup>2</sup> The work of the commission

<sup>1</sup> Plut., Tib. Gr., 13.

<sup>2</sup> Liv., Epit., LVIII.



went on at first more rapidly ; and, in further relief to its operation, Gracchus proposed, and apparently<sup>1</sup> secured, a general distribution of the treasure lately bequeathed by their ally, the king of Pergamus,<sup>2</sup> to the Roman people. Through this assistance he may have hoped to establish the poorer classes in such comfort upon their newly-acquired lands as to be sure, at last, of their content and gratitude. There were soon fresh difficulties to overcome.

In the excitement attending the passage of the law which was as yet the chief thing Tiberius Gracchus had accomplished, some words which fell from him concerning "the people of Italy," appear to have encouraged the Italians, perhaps those who were not as well as those who were endowed with citizenship at Rome, to believe that he had their welfare at heart with that of his fellow-citizens. Many, however, whether trusting in this idea or not, were in possession of the very lands to which his law referred, and consequently could only be alarmed or exasperated by the proposals that attracted the confidence of their poorer neighbours. As soon as the commissioners appeared in any allied or subject district, they found themselves in the midst of a multitude as clamorous as that of the great metropolis for aid ; while the same opposition they experienced at Rome

<sup>1</sup> Plut., Tib Gr., 14. Compare Liv. *loc. cit.*

<sup>2</sup> Attalus, the third of that name, who had been allowed, perhaps, to retain his kingdom on condition

that he would surrender it to the Commonwealth in his will. When he died (A. C. 133), the natural son of his predecessor claimed the kingdom, but was conquered and beheaded. Flor., II. 20.



met them in the country from the rich proprietors who had nothing to gain, but everything to lose, by their procedures.<sup>1</sup> The clamour thus became universal; and it would be hard to tell if it were louder with the entreaty of the poor or the expostulation of the rich Italians. But this seems certain, that both the classes were presently united in venting execration upon the commissioners, who, threatened, molested, and begged by their own citizens, found it necessary to eject the Italian occupants from the lands they held, in order to satisfy the poorer Romans, while the Roman proprietors could not, in a single instance, have been disturbed to make way for the suffering Italians.<sup>2</sup> It was the fault of the times, if we have any right to decide, that turned Tiberius from the dreams he had indulged on his journey to Numantia, of restoring prosperity to Italy, to the waking trials of securing independence to the Romans alone.

The embarrassments of Tiberius were growing up around him too quickly to be anticipated, and too numerous to be cut away. He tried opposition to the Senate on a question relating to some subject cities,<sup>3</sup> but was fairly driven from their presence by the invectives launched upon him, with savage aim. He then endeavoured to bring one of his antago-

<sup>1</sup> Hence the historian speaks of "the allies" as the most resolute opponents of the law:—Οἱ περὶ τῆς γῆς μάλιστα ἀντέλεγον. App., Bell. Civ., i. 21.

<sup>2</sup> See Appian's account of the discontent among the Italians just

after Tiberius's death. Bell. Civ., i. 21.

<sup>3</sup> Those of Pergamus, whose settlement Tiberius averred to be in the control of the Tribes. Plut., Tib. Gr., 14.



nists to trial; but it was unnatural to his disposition to be an accuser or a personal enemy of any man; and his charges were easily parried.<sup>1</sup> On the other hand, though assailed with all the evil spirit that he had roused against himself, he did not seem to be defended by any attachment or magnanimity such as he might be supposed to have inspired; for it is continually to be borne in mind that the errors which now plainly mark his course were viewed by his contemporaries, unless his political opponents be excepted, in the light of ordinary, if not of virtuous, actions. The deposition of Octavius, however, was brought up against Tiberius by the common people,<sup>2</sup> as well as by the party of the abused Tribune; and a certain Senator went so far as to accuse Gracchus of aspiring to make himself a king:<sup>3</sup> yet neither the absurdity of the latter charge, nor the vehemence of the former, impelled a single man to stand between Tiberius and the blows sure, as soon as the first was dealt, to rain upon him heavily. His spirits fell; and when one of his chosen friends died, as was believed, from poison,<sup>4</sup> while his own life was exposed to constant danger, the Tribune put on mourning robes, and went among the people with his children, entreating that they and their mother might be defended, though he himself were overwhelmed.<sup>5</sup> It did not then appear that

<sup>1</sup> "With subtlety of question and answer." Plut., *loc. cit.* Liv., Epit., LVIII.

<sup>2</sup> Plut., Tib. Gr., 15.

<sup>3</sup> Ibid., 14.

<sup>4</sup> Ibid., 13.

<sup>5</sup> Plut., Tib. Gr., 13.



he had simply failed, but that he was utterly and for ever ruined.

A new spring-time, however, seemed to return to Tiberius with the arrival<sup>1</sup> of his brother Caius from the siege of Numantia, whence he must have been summoned immediately on his appointment as one of the three commissioners. Caius Gracchus, nine years the younger of the brothers, and therefore, at this time, not more than twenty or twenty-one himself, possessed the sensibility of Tiberius, in union with much greater clearness and much greater strength of mind. Had he been at his brother's side, as he undoubtedly would have been, with the blessing of Heaven upon them and upon their country, either the laws would have received no outrage in the person of Octavius, or else, the outrage having been perpetrated, its authors might have borne its consequences with firmer spirits, and perhaps have altogether averted them. But when Caius actually came, the condition in which his brother stood admitted of no such remedies as were suggested by his impatient nature; and it was equally vain to urge Tiberius to violence after his sufferings for the single act of the kind he had committed, or to triumph in the sight of men who had beheld him weeping and entreating compassion in the very thoroughfares of Rome. Caius was not the less joyfully welcomed, and at his persuasions, as at his mother's exhortations, Tiberius shook off the chill

<sup>1</sup> Which may be set down at the present time, according to the hints

we find in Plut., Tib. Gr., 20, and Dion Cass., Fragm., LXXXVIII.



that had seized him, and gave himself once more to warmer hopes.<sup>1</sup>

Yet, while we recount the difficulties which Tiberius Gracchus had not been able to overcome by his own unaided strength, he deserves much higher praise than he has hitherto received. In an age when most men liked to loll upon the bank, and ventured to cross the rolling stream only as if on bridges made of arms or strewed with gold, Tiberius dared to breast the waves, bearing the burden of a helpless people, and thinking of safety for their sakes as well, it may at least be said, as for his own. And when his first essay had blanched his cheek and shaken his frame, he waited only until help arrived to try another, bolder even than the one he made with too little aid, though starting, as we have read, amidst many glad vociferations and some kind sympathies. Trusting now in the spirits of his brother and the counsels of their common friends,<sup>2</sup> Tiberius came forward as a candidate for re-election, with promises of various benefits he would bestow upon his fellow-citizens, if they confided in him with the same sincerity that made him wish their welfare. Numerous as were his projects, and closely as they were undoubtedly connected with general desire and public justice,<sup>3</sup>

<sup>1</sup> If Juvenal's touches be correct, she must have felt Tiberius's weakness.

"Si cum magnis virtutibus affers Grande supercilium, et numeras in dote triumphos."—Sat., vi. 168, 169.

<sup>2</sup> Plut., Tib. Gr., 16.

<sup>3</sup> There should be, he is reputed to have said, an appeal to the assemblies in civil as well as criminal cases; the judicial tribunals should be reorganised; the power of the Senate should be restrained;



they excited but little interest in the main body of the people, disheartened, if not offended, by the course of the Agrarian law, from which they had hoped so much and gained so little, on account, as they would add, of its commissioners. There is no proof that Tiberius relaxed his exertions at this time, because they were met by almost universal apathy; but rather that he was convinced of the necessity of his being re-elected, not only in order to succeed, but to save himself alive from those who would break forth upon him the instant they perceived him to be undefended.

The few really benefited by the Agrarian law, and therefore at all attached to Gracchus as their benefactor, were too contented or too busied in their new homes to come to Rome beneath a summer sun to vote for him and his candidates against the party of the rich and their adherents amongst the populace. Tiberius had already presented the name of his brother Caius for a place in the tribuneship,<sup>1</sup> and both the brothers may have come forward together on the election; but the tumult excited by their appearance would have been beyond their control, had they been twenty instead of two, or rather one; for Caius, if

some place should be provided for the Italians as citizens of Rome; and while these things were to be done at home, the period of foreign service should be curtailed. Plut., Tib. Gr., 16. App., Bell, Civ., i. 14. Vell. Pat., ii. 2. Val. Max., iii. 2. 17. Dion Cass., Fragm., LXXXVIII. But it is often doubted,

and I think for good reasons, whether these were not attributed to Tiberius by confounding his brother's doings with his own. Or if they were really his proposals they must have been made, as I conjecture, at Caius's suggestion.

<sup>1</sup> Dion Cass., Fragm., LXXXVIII.



he went into the Forum with the other candidates, seems to have suddenly disappeared. The day wore away in clamour; and the presiding Tribune, unable to maintain order, or even to report the votes on account of the increasing confusion, declared the election deferred to the morrow. Tiberius descended amongst the crowd, beseeching all who loved him to defend him through the night, lest he should be murdered before he could meet them again in the morning. The bolt that before had grazed, now pierced his soul.

A large number of citizens followed him home and watched about his house until the morning came, dark with omens to him,<sup>1</sup> and tempestuous with the throngs that gathered throughout the city as though it were a camp<sup>2</sup> in arms. No mention of Caius is to be found; and it was by the remonstrances of one of his early friends, the Campanian Blossius, that Tiberius was persuaded to go forth at the head of his followers<sup>3</sup> to the Capitol, where he was so joyfully received by those still true to him as to be for a few moments reassured. But the Tribes no sooner began to vote than the riot of the preceding day was renewed; in the midst of which Tiberius was informed by Fulvius Flaccus, a Senator, and one of his warm adherents, that the Senate was deliberating upon his instant overthrow. It was true. The debate had begun in an orderly way upon the conduct of the Tribune and the necessity of preventing his re-election,

<sup>1</sup> Plut., Tib. Gr., 17.

<sup>2</sup> Dion. Cass., Fragm., LXXXVII.

<sup>3</sup> "Cum catervis suis." Vell.

Pat., ii. 3. Cf. Aul. Gell., ii. 13.



when the Chief Pontiff, Scipio Nasica,<sup>1</sup> rose to upbraid the Consul Scævola—who, as was observed had favoured the proposal of the Agrarian law — with treachery to the Commonwealth, calling as he grew warmer and was more vehemently applauded by the Tribune's enemies, upon all who listened, to follow him straightway to the Capitol.<sup>2</sup> Nearly the whole Senate poured out after him, and with such arms and followers as they could obtain, dashed into the midst of the assembly, where the partisans of Tiberius had just before expelled their adversaries by violence. A few blows were exchanged ; but the people fled ; and Tiberius, who had some time before lost all presence of mind, was murdered as he endeavoured to escape. His body, with those of three hundred others, slain around him, was thrown into the Tiber by night,<sup>3</sup> and the credit of his assassination, as if, says his compassionate biographer, it were a notable deed, was disputed amongst his murderers.<sup>4</sup>

He fell after little more than six months<sup>5</sup> had been allowed him to confront the contumacy of the rich and the greediness of the poor in Rome. Some men, sure to scorn or disagree with him, whatever he had done, would join their voices to that of his

<sup>1</sup> His grandfather was the first-cousin of Africanus and Asiaticus.

<sup>2</sup> Vell. Pat., II. 3. Plut., Tib. Gr., 19. Alas that Cicero should so often have praised Nasica's deed ! De Off., I. 22, 30, &c.

<sup>3</sup> App., Bell. Civ., I. 16. Plut., Tib. Gr., 20.

<sup>4</sup> Plut., Tib. Gr., 19. The first blow was dealt by one of his own colleagues.

<sup>5</sup> " Regnavit " — a taunting word, unworthy of him who used it—" is quidem paucos menses." Cic., De Amicit., 12.



brother-in-law, Scipio Africanus, — then absent in command of the siege of Numantia,—and pronounce the murder of Tiberius to be a righteous retribution for his deeds.<sup>1</sup> Others would remember him more justly, and declare, that, whatever he had left undone, he was too true a friend to the people, too true a citizen to the Commonwealth, to have been so distrusted, hated, and destroyed. It seems as if this better spirit were almost immediately awakened after his assassination. When Blossius, his confidential adviser, was examined before the Consuls concerning his connection with the murdered Tribune, he confessed to having obeyed all the requests or commands of Tiberius in his last unhappy days. “What,” asked the Pontiff Scipio Nasica, as eager to convict the counsellor, as to slay the reformer, “what if he had bid thee burn the Capitol?” “That he would never have done,” was the reply. “But if he had so ordered thee?” persisted the Pontiff. “Then,” returned the faithful friend, “then it would have been a right thing to do ; for Tiberius was not a man to order it except for the common good.”<sup>2</sup> The affection of the people returned to the memory of their martyr ;<sup>3</sup> and Nasica was obliged to go into voluntary exile in order to escape the odium that attached itself to him as the persecutor. But the only reparation befitting the memory of the dead was, that the cause for which he had died should not be forgotten, and that some one, more staunch, if

<sup>1</sup> Plut., Tib. Gr., 21.

<sup>3</sup> App., Bell. Civ., i. 17.

<sup>2</sup> Ibid., 20.



not more fortunate, should imitate and improve the example of his patriotism and his benevolence.

The successor was nearer than may have been imagined either by the proud nobility, as the rich men may be called, or by the variable and wellnigh venal people. Educated under the same influences and by the same instructors, but endowed with more shining talents<sup>1</sup> and more ardent energy, Caius Gracchus had been, as we have conjectured, his brother's supporter and exciter in the later events of his unfortunate career. There is no appearance, it is true, of his having been by the side of Tiberius in his last moments; but there is the greater reason to surmise that the massacre in the Capitol was felt to be partly his own crime; for he had instigated Tiberius to seek his re-election, and yet had not been with him to speak, to fight, to die in his behalf. Caius did not hide himself, but came forward to request his brother's corpse, that he might bury it, not, indeed, as became the memory of a Gracchus or a Scipio, but by night,<sup>2</sup> as suited the fate of one who had been murdered by his countrymen. This request being denied, Caius withdrew from the Forum and the public haunts of men,<sup>3</sup> unable to prevent the confiscations, banishments, and murders to which his brother's friends were exposed, but cherishing the memory of Tiberius, and of the love that had been between them, as the inspiration of his future life.

<sup>1</sup> "Vir et præstantissimo ingenio, et flagranti studio, et doctus a puero." Cic., Brut., 33. "Eloquentior quam frater." Liv., Epit., lx. So Aul. Gell., x. 3.

<sup>2</sup> Plut., Tib. Gr., 20.

<sup>3</sup> Ibid., C. Gr., 1.



As one of the commissioners under the Agrarian law, Caius Gracchus was still obliged, it should rather be said desirous, to take an earnest part in the upholding the work which had cost Tiberius his life. But though he appears to have had the zealous cooperation of his fellow-commissioners,<sup>1</sup> the law could not be put into execution against the continued opposition, not only of the rich men in Rome, but of the upper classes throughout Italy. When Scipio Africanus returned from Numantia,<sup>2</sup> the year after the death of his brother-in-law, he was entreated to overthrow the law and its commissioners; and his assumption of the cause to which he naturally inclined, though not from the selfish motives that actuated most men on the same side, was a serious barrier to any further progress on the part of Caius or his supporters. Once openly interrogated by Caius himself or by Fulvius Flaccus, then upon the Agrarian commission, as to his opinion of Tiberius's fate, Africanus replied as openly, that it was what he had deserved;<sup>3</sup> and his determination to resist the successors of the Tribune was afterwards more manifestly proved by his efforts in securing the appointment of one of the Consuls to hear appeals from the

<sup>1</sup> Crassus Mucianus, who succeeded Nasica in the pontificate, took the place of Tiberius Gracchus on the commission. He was father-in-law to Caius. Crassus and the other commissioner, Claudius, dying soon after, were replaced by Fulvius Flaccus and Papirius Carbo, both friends of the

Gracchi. The troubles of the commission may be read in App., *Bell. Civ.*, i. 18, 19.

<sup>2</sup> Which fell after a dreadful siege, and was most barbarously destroyed, in A. C. 133.

<sup>3</sup> Liv., *Epit.*, LIX. Plut., *Tib. Gr.*, 21.



judgments of the Agrarian commissioners. The Consul did not long sustain the charge ; but the commissioners were forced to suffer their law to rest, as if its utmost capacity had been tried, and in vain.<sup>1</sup>

Some years,<sup>2</sup> however, were spent while these disputes continued ; nor was it, perhaps, until near their close, that the part of Scipio was so decisive as to bring upon him the odium of any active opposition to his brother-in-law's designs. But when, one day, Papirius Carbo, the colleague of Flaccus and Caius Gracchus on the commission, again<sup>3</sup> inquired of Scipio, then busily and successfully exerting himself against the Agrarian law, what he thought about the death of Tiberius, he answered, more moderately, indeed, than before, yet with the same sentiments, that, if his brother-in-law had acted with any hostile intentions towards the Commonwealth, he had been lawfully put to death. The people cried out against him ; but he retorted fiercely,—“So ye, mere stepsons as ye are of Italy, imagine that ye can move me by your clamour,—me, whom no clamour of your enemies has ever terrified !”<sup>4</sup> Even if he told the truth, that Italy was but a stepmother to the greater number of

<sup>1</sup> App., De Bell. Civ., i. 19. The accounts of these hostilities between Scipio and the leaders of the opposite party are very much confused ; and the version in the text must not be too far trusted.

<sup>2</sup> A. C. 132—129.

<sup>3</sup> See note 3, p. 239, and note 1

above. I have supposed Scipio to have been questioned more than once on this point. Compare Vell. Pat., ii. 4, with the preceding and following references.

<sup>4</sup> Vell. Pat., ii. 4. Cf. De Vir. Ill., LVIII. ; Val. Max., vi. 2, 3 ; Plut., Apophth., tom. vi. p. 760, ed. Reiske.



her inhabitants, it was the more certain to rouse the wrath of those who heard him; and though he was attended home by a crowd of delighted partisans, perhaps that very day, perhaps after some other speech as bitter, he never came forth again, but was found dead in his bed, on the following morning. Some said he died a natural death;<sup>1</sup> others declared him poisoned or killed by his adversaries; and there were a few to charge Carbo or Gracchus directly with his murder.<sup>2</sup> Gracchus, at all events, needs no defence; but the slander against him is a sufficient symptom of the sickness prevailing through a Commonwealth in which such a citizen as he could be so accused, and such as Scipio imagined to be so slain.

It is plain, nevertheless, that there were many extreme expedients in practice amongst the popular leaders of the day to sustain the cause they professed to have at heart. Papirius Carbo, Tribune in the second year following the death of Tiberius Gracchus, devoted the leisure he had from the common duties of his office and those of the Agrarian commission, to the passage of two laws: one allowing the re-election of a Tribune as often as he desired and the Tribes consented,<sup>3</sup> and the other empowering the people to vote by ballot concerning the laws submitted to their decision.<sup>4</sup> Whatever might be the abstract merit or demerit of these measures, their passage, at this

<sup>1</sup> "Ut plures." Vell. Pat., II. 4. four years from the fall of Tiberius.

<sup>2</sup> Liv., Epit., LIX. App., Bell. Civ., I. 20. This was in A.C. 129,

<sup>3</sup> Liv., Epit., LIX.

<sup>4</sup> Cic., De Legg., III. 16.



moment of general distress for land and food and peaceful occupation, while the Agrarian law already passed lay idle, was as much as to bid the populace of Rome renounce their better hopes, and wear their lives away, content with the Forum and its assemblies, unless it pleased them to be soldiers, and die or fight afar from the land in which they had no homes. Sometimes a Tribune, without attempting to improve even the political position of his constituents, preferred to seek his own authority, while they disputed amongst themselves or starved. Atinius Labeo, one of Carbo's successors, incensed at being ejected<sup>1</sup> from the Senate, by the Censor Metellus Macedonicus, in the preceding year, determined to use the strength of his tribuneship in revenge. Meeting his enemy one day, as he was returning home at noon, when the Forum and the Capitol were empty of the crowds that thronged there at other hours, the Tribune seized the Censor, and hurrying him, with the aid of his attendants, up to the Tarpeian rock, swore that Metellus should be hurled from it as a traitor. The servants of Metellus vainly strove to rescue their master; nor does it appear that he would have been saved from instant destruction, had not the alarm spread rapidly, and a Tribune been persuaded to interpose his veto against the audacious outrage of his colleague. So far, however, from Atinius being called to account, he was able to carry a law that the Tribunes should always have a place in the

<sup>1</sup> Plin., Nat. Hist., vii. 45. Cic., Pro Dom., 47. Cf. Liv., Epit., lxx.



Senate independently of the pleasure of the Censors.<sup>1</sup> If such were the liberty to do evil in Rome, it is no marvel that the liberty to do good should have failed Tiberius Gracchus, as has been described.

Caius Gracchus, though willing to assist Carbo, and eager, doubtless, to declare his dissent from the opinions which Scipio Africanus would have enforced upon his countrymen, was rather a looker-on than an actor in these ominous scenes. On one occasion, indeed, he appeared in the Forum, earnest to defend a friend against apparently perilous prosecution; but the joy with which he was saluted by the people and the admiration excited by his eloquence<sup>2</sup> did not yet tempt him to change his resolution of living apart from the political commotions in which his brother had been sacrificed; and, with the exception of his charge as one of the Agrarian commissioners, he bore no office and sought none. There was little in the efforts of others to move him from his usual silence, or, as it may have been, after what had passed, his hopelessness;<sup>3</sup> and he rather shunned

<sup>1</sup> Aul. Gell., xiv. 8.

<sup>2</sup> "All the other orators," says Plutarch, "were but children to him." C. Gr., 1. Compare Diod. Sic., Reliq., xxxiv., xxxv. 24.

<sup>3</sup> In the Scholia published by Angelo Mai, with the oration of Cicero, Pro. Sull., 9, there is a passage given as from a discourse of Caius Gracchus, which must have been spoken somewhere about this time:—"Si vellem apud vos verba facere et vobis postulare,

quum genere summo ortus essem, et quum fratrem propter vos amissem, nec quisquam de P. Africani et Tib. Gracchi familia nisi ego et puer restaremus, ut pateremini hoc tempore me quiescere, ne a stirpe genus nostrum interiret, et uti aliqua propago generis nostri reliqua esset: haud scio an lubentius a vobis impetrassem." See another extract, perhaps from the same sad speech, in Cic., De Orat., iii. 56.



than waited the time when his own duties were to unfold themselves. This time was close at hand ; and when Junius Pennus, a Tribune, in the seventh year<sup>1</sup> after the death of Tiberius, proposed the expulsion of aliens<sup>2</sup> by law from the city, Caius, who had been his brother's abettor in offering citizenship to the Italians, did not forsake them or the other strangers who had come to dwell in Rome. Sometimes it is said that he wished them in aid of his schemes, or else it is declared that their ejection was a mere act of opposition to the nobility, who desired their brawling support against the Roman citizens ; but in either case, there is small hazard in attributing to Caius the disposition to defend for their own sakes the hungry or the greedy multitude that sought amongst their and their fathers' conquerors the bread or the lucre denied them in the places whence they came. A greater purpose still may have risen to his mind ; and a line that has been preserved of his discourse in the Forum, where he said that "a commonwealth must be composed of many different classes,"<sup>3</sup> seems to indicate his knowledge of the need there was to refresh the liberty of his country with new blood in its veins, new vigour in its limbs. The bill, notwithstanding, passed ; and the city was cleared of strangers as though they had been its enemies.

<sup>1</sup> A. C. 126.

<sup>2</sup> Peregrini. See book II. ch. 10, pp. 55—56. The law of Pennus is described in Cic., *De Off.*, III. 11 ; with which compare Brut., 28.

<sup>3</sup> "Respublicas multarum civitatum pluraliter dixit.....Eæ nationes, cum aliis rebus, per avaritiam atque stultitiam, respublicas suas amiserunt." Festus, s. v. Respublicas.



Caius Gracchus was evidently weary of inaction and unavailing sorrow. The love he bore his murdered brother would have been a sufficient motive in itself to impel him towards aims that were worthy of the name he bore and the memories he appeared to personify in the eyes of all who had loved or hated the departed. As if avoiding, however, the Forum, to him still haunted by the spirit of Tiberius and his fallen friends, Caius sought<sup>1</sup> a place in the quæstorship, which he obtained in an army about to enter upon service in Sardinia, where, as very frequently happened, there was a rebellion to be suppressed. While he was engaged in his canvass according to the common routine, but more than usually fatigued and excited by his return to the public life from which, with few exceptions, he had stood aloof for seven years, he seemed one night to see his brother in his dreams, and to hear Tiberius's well-remembered voice upbraid him for his doubts and delays. "Why linger, Caius," it breathed, "when the same death by which I perished is before thee likewise?"<sup>2</sup> The hesitation and the sorrow of the sleeper were dispelled; and he woke, not, indeed, to joyful hope of future triumph, but to the far more marvellous resolution of employing aright and fervently the life that yet remained before the coming of its mournful end.

We may follow him to Sardinia, whither he pro-

<sup>1</sup> The authority of Cicero (*De* than that of Plutarch (*Caius Grac-*  
*Div.*, i. 26) is here more reliable chus, 1).

<sup>2</sup> Cic., *De Div.*, i. 26.



ceeded as Quæstor to a consular army, if it be only to remark that the same confidence which was felt in Tiberius by the Numantines was given to Caius by the rugged Sardinians. Such, indeed, was the good report of the Quæstor among strangers, that there came an embassy to Rome from the king of Numidia, announcing the despatch of grain to the forces in Sardinia, on account of the regard which he entertained for Caius Gracchus. Instead, however, of there being any respect for him or for the embassy amongst the Senate, the Numidian envoys were denied an audience, while orders were sent to the Consul in Sardinia to continue in command, so that his Quæstor might be kept away from Rome.<sup>1</sup> During his two years of absence, Caius Gracchus had recovered all his youthful energies, strengthening them by the manlier resolution which became his maturer age, and consecrating them with affectionate vows to the cause for which his brother had perished and he had nine years silently suffered. The covert fears of the Senate aroused his dormant passions, and, instead of remaining with the army, he instantly returned to Rome. Called to account before the people, by the Censors, for his desertion, he answered boldly, "I remained at my post as long as I thought it of any use to you, not as long as I considered it of advantage to my own ambition . . . . My purse," he continued, "which I bore away filled, I have brought back empty ; there were others who took away wine-jars, and have brought them home filled with silver."<sup>2</sup>

<sup>1</sup> Plut., C. Gr., 2.

<sup>2</sup> The defence was fuller ; but



It was plain, nevertheless, however other officers returned, that Caius Gracchus came pure of avarice and of treachery, indeed, but with tumult in his train.

This abrupt return was preceded by an eventful year,<sup>1</sup> in which Fulvius Flaccus, often mentioned in connection with the Gracchi, had made a show of employing the consulship, on which he entered, to the advantage of the popular cause. It was about a twelvemonth since the law of Pennus prevailed against the aliens ; and Flaccus, conceiving the strength which their support would give to his party, proposed that the rights of citizenship and appeal should be bestowed on those Italians who desired to remove to Rome.<sup>2</sup> The same prospect that animated Flaccus to urge, determined his adversaries to resist, the law ; and though the Consul made light of the expostulations addressed to him in the Senate, he was easily removed by being appointed to the command of an expedition against some Gauls beyond the Alps,<sup>3</sup> in pursuit of whom he forgot his law and all he left behind. But the measures he did not stay to complete had kindled the old heart-burnings of the Italians ; and though the revolt of Fregellæ, a colony established after the great Latin war, and subsequently increased by a large number of Pelignians

see Aul. Gell., xv. 12 ; Plut., C. Gr., 2. Caius returned A.C. 124.

<sup>1</sup> A. C. 125.

<sup>2</sup> Val. Max., ix. 5, 1. App., Bell. Civ., i. 21.

<sup>3</sup> Who had attacked the allied city of Marseilles. Liv., Epit., lx. They were subdued, and their territories formed into the province of Gallia Ulterior, A. C. 121.



and Samnites,<sup>1</sup> was promptly and fearfully punished,<sup>2</sup> there were many taught by the insurrection, not to rebel, but to watch with keener eyes their opportunity of obtaining justice from the Romans. A part of the accusation preferred against Caius Gracchus, on his return, set forth that he had countenanced the rebellion of Fregellæ; but the charge, however grounded, could result only in attracting the confidence of the Italians and in stimulating his own resolves.

He sought the tribuneship at once, and, notwithstanding the headstrong opposition of the Senate and its party, was returned,—but fourth on the list, instead of first, as might have been anticipated. In the following winter,<sup>3</sup> when his term began, he soon obtained the place he merited, of chief amongst his colleagues, and entered upon the career of which, since the vision related, he had constantly foreseen the close. The example of Tiberius alone would not have been sufficient, apart from his own impulses, to direct Caius upon the course he followed; for, though the goal might be the same to both the brothers, the starting-point of the elder had been wreathed with hopes, while that of the younger, who began in defiance of his threatening enemies rather than with the cheering acclamations of his friends, was craped with forebodings he could not tear away.

<sup>1</sup> Liv., VIII. 22, XLI. 8. The name of Italians must be understood as including such colonies, as well as the municipalities and all the allied states together.

<sup>2</sup> Liv., Epit., LX.

<sup>3</sup> That of A. C. 124 — 123. Caius was of the same age as Tiberius, at entering on the tribunate.



The first proceedings of the new Tribune were directed against his brother's foes. A bill he preferred concerning the ineligibility to office of such as were at any time deposed from a magistracy was clearly aimed at Octavius Cæcina, whose conduct in the tribuneship would be regarded by Caius Gracchus as having been the primary cause of his brother's ruin. Another bill, closely following the first, and ordering the prosecution of any magistrates who had banished a citizen without form of trial, was as clearly levelled against Popillius Lænas, whose animosity, as Consul, towards the friends Tiberius left behind him, was fresh in the memory of those who had escaped his sentences of confiscation and banishment.<sup>1</sup> Popillius, without waiting the result of the measure by which he was threatened, went into exile; but Octavius, who would scarcely have fled, had he been actually endangered, was spared the penalty proposed, perhaps on account of his connection with the Gracchi, by the withdrawal of the bill.<sup>2</sup> "These men," cried Caius Gracchus, "are the murderers of Tiberius;"<sup>3</sup> and it was in duty, as he thought, to his brother, that he pursued them, rather than for his

<sup>1</sup> He was Consul in the year following Tiberius's death. Vell. Pat., II. 7. Plut., Tib. Gr., 20.

These bills are mentioned in Plut., C. Gr., 4. A fragment of Caius's speech against Pop. Lænas is in Aul. Gell., XI. 13.

<sup>2</sup> His connection, already referred to, is mentioned in Dion.

Cass., Fragm., LXXXVII. There is a letter purporting to be written by Cornelia, which agrees with the part she is known to have taken in pleading for Octavius. Diod. Sic., Reliq., XXXIV. XXXV. 25. It begins, "Dicis pulchrum esse inimicos ulcisci," &c., and is found in most editions of Corn. Nepos.

<sup>3</sup> Plut., C. Gr., 3.



own revenge.<sup>1</sup> Nay, in the various and ardent excitements through which we are following him, though he stand before us, as he is described, with vehement gestures<sup>2</sup> and loud-toned voice,<sup>3</sup> there are other motives and other words that are to be remembered as peculiar to the younger Gracchus, whenever he could escape the memories that seemed to drive him whither, of his own accord, he would never have gone.

"If ye wish," he said, "fellow-citizens, to make use of the wisdom and the valour that there are amongst you, and if ye inquire after them, ye will find that none of us come up to this place to address you without reward. All of us who speak here seek something for ourselves; nor does a single man present himself on the rostra for any other reason than that he may take something away with him when he has done. I myself, now speaking to you, do not appear without a design; yet it is not money, but good-report and honour, that I seek at your hands."<sup>4</sup> For once, there was a Roman who did not claim the full extent of the estimation he deserved; since Caius Gracchus, if there be any trustworthiness in the history that preserves his name and deeds, was not

<sup>1</sup> "E tre gran furie ho meco :  
Ira di patria oppressa, amor de'  
miei,

E vendetta, la terza; sì, vendetta  
Della fraterna strage."

*Vinc. Monti, Cajo Gracco,*  
att. i. sc. 1.

Cassius (xc.) too sneeringly describes.

<sup>3</sup> Plut., C. Gr., 4. So "marvellous loud," indeed, that he was obliged to modulate its tones by the pipe of a slave. Cic., De Orat., III. 60.

<sup>2</sup> As the fragment of Dion.

<sup>4</sup> Aul. Gell., xi. 10.



content with seeking laurels, of which the last, as he foresaw, would be blighted and blood-stained leaves, but rather laboured to do his countrymen the service he was capable of rendering, if it were one that they on their part could receive.

The labours of the Tribune are run together on the ancient canvas in masses, so confused as to represent a different work to almost every eye. It is more, perhaps, than we can rightly attempt, to restore them to their original relations, and describe the conformity between the foreground and the perspective of the scene, whose interest would be a thousand-fold enhanced by the natural harmony that might then be disclosed between its parts. As it is, Caius Gracchus is but a name appended to a coarse enumeration of reforms, in which he is represented as having engaged at once, without either the consideration or the excitement that marks the proper history of a reformer, as he hurries from step to step, yet pauses at each to catch the sound of his feet or to hear the tread of his pursuers and of those whom he himself pursues.

Our narrative, therefore, must be accepted as one of ill-defined and scanty outlines. The first public measure to absorb the cares of Gracchus was the Agrarian law, which it was his bounden duty, under the circumstances, to revive from its stupor of many years' duration. As he, with Fulvius Flaccus and Papirius Carbo, was still upon the commission, there could be no difficulty in declaring the law to be in force ; but though its action was modified and backed



by various expedients,<sup>1</sup> it does not appear to have been resuscitated to any real advantage. Nor is it now for the first time that we have to remark the inefficacy of all endeavours to ameliorate the social and personal condition of the same people who were allowed, nominally at least, to obtain the highest political prosperity. It was in vain that Caius urged the distribution of lands, or directed public works of construction or repairs to be begun, in order to furnish occupation to the poor.<sup>2</sup> The streets were still thronged with indolent or wretched citizens; and even amongst the few who were slowly changing from citizens to farmers, the care of procuring common food, was the cloud of the morning and of the evening, that neither breeze nor sunshine could dispel. From the days of Coriolanus down, it had been necessary to distribute grain amongst the people in times of scarcity;<sup>3</sup> but the difficulty was now uninterrupted by any plenty, and insurmountable by any toils that were fit, in public opinion, for the freeborn to endure. Whether Caius Gracchus deplored the means he was obliged to adopt in order to relieve the necessities of his fellow-citizens, or whether, heedless of its nature, he embraced it with that ardour which lights up every charitable effort, is past our finding out; but a law was urged by him and readily accepted by the people, to the effect that a monthly sale of

<sup>1</sup> Such as a system of general colonisation, on the one hand, and on the other, the assessment of an annual tax upon the new proprietors. Plut., C. Gr. 5, 9.

<sup>2</sup> Plut., C. Gr., 6, 7.

<sup>3</sup> Liv., II. 34, III. 31, IV. 12, &c. Later instances are in XXX. 26, XXXI. 4, 50, XXXIII. 42, &c.



grain, at a fixed and moderate price, should be made under public superintendence.<sup>1</sup> The faction of the rich complained, partly because the revenues of the Commonwealth, as they rightfully declared, would be drained by such a demand,<sup>2</sup> but chiefly, we may surmise, because the returns from their own estates would be seriously impaired by the projected fall in the price of grain. If we are not at fault, it was the purpose of the Tribune neither, as his enemies alleged, to harm their private or the public fortunes, nor, as would now appear, to keep the poor in the condition of common paupers; but rather to change these into independent citizens by relieving their wants, which, however imperative or degrading, they could not themselves relieve.

The assistance which the Tribune would have given to the citizens was next extended to the soldiers of the Commonwealth. It can be estimated, however, only by two laws, that are recorded, the one to have reduced the expenses,<sup>3</sup> and the other to have defined the period of enlistment, the beginning of which was fixed at the age of seventeen.<sup>4</sup> Some part, therefore, of the sacrifices to military service was henceforward to be spared.

<sup>1</sup> Liv., Epit., LX. App., Bell. Civ., I. 21.

<sup>2</sup> Cic., Tusc. Quæst., III. 20. The story here of Piso's application proves, perhaps, that the law was for all the citizens, but not that it was anticipated it would be made use of by any but the poor.

<sup>3</sup> By providing clothing and

arms at the public cost. Plut., C. Gr., 5.

<sup>4</sup> Ibid. This has been generally explained as directed against the nobility, who enlisted their children in infancy in order to shorten their term of actual service. So Sir Anthony Absolute put his son "at twelve years old into a marching regiment."



Provide though he might for the necessities of the soldier or the citizen as individuals, there was the stronger impulse to Caius Gracchus to supply the greater needs for want of which the freedom and the hopefulness of his countrymen had most deeply suffered. In the face of their own rising contentions and of the remonstrances which were now continually pouring in from the plundered and tormented provinces, there was one point in the Roman institutions that required to be fortified and extended. This was the administration of justice, hitherto committed to the care of the tribunals, whose members were publicly appointed from the Senate, or else to that of the great assemblies of the Centuries or Tribes.<sup>1</sup> But in both and all there had been grievous abuses; and while the Senators selected to uphold the right had allowed the wrong, in the persons of their fellow-magistrates abroad and at home, to triumph alike over citizens and subjects, the popular assemblies had of necessity yielded to the clamour and corruption which beset their trials and determined the sentences within their power to pass. It was this system, pregnant on both sides with fatal errors, that Caius Gracchus attempted to replace by another, under which the judges should be chosen from the order of the Knights,<sup>2</sup> to whom the management of civil and

<sup>1</sup> See vol. I., pp. 442—445.

<sup>2</sup> This account is based upon very varying authorities, and must be so regarded. Six hundred Knights (according to Liv., Epit., lx.), or three hundred (Plut., C.

Gr., 5), were to be added, some say to the Senators, and then from all together the selection of judges was to be made. I have followed the contrary opinion,—that the Senators were to be dropped, as well as



criminal procedures—the capital trials being still reserved to the assemblies—was to be conveyed with careful restrictions<sup>1</sup> upon its proper exercise.

It was not merely a judicial reform that the Tribune had unconsciously proposed, but rather the distinction of three estates in the Commonwealth, and furthermore the antagonism to which each was bound against the others, until the liberty of Rome lay dead, and they, wounded and trampled down, had scarcely breath enough to mourn for it or for themselves.

“And to bring these things to pass,” exclaims Plutarch, in relating the reforms of Gracchus with honest zeal, “he took upon himself the entire care, unwearied with so many and so arduous affairs. For it was incredible with what activity and earnestness he carried his projects out, as if he had but one of them in hand ; insomuch that they who most hated and feared him were yet amazed at his universal diligence and thoroughness. The people, in particular, wondered to see him surrounded by a multitude of contractors, workmen, ambassadors, magistrates, soldiers, and scholars, to all of whom he gave easy audience with dignity and courtesy of manner. Indeed, he suited his own address to each individual who addressed him ; so that they who called him

that the popular trials were not done away with, indeed, but limited to extreme cases. See App., *Bell. Civ.*, i. 22 ; Plin., *Nat. Hist.*, xxxiii. 8 ; Vell. Pat., ii. 6 ; and the anecdote in Diod. Sic., *Reliq.*, xxxvii. 9.

<sup>1</sup> The trial of capital cases was still to be before the people. See the law of Caius Gracchus, mentioned in Cic., *Pro Rabir.*, 4 ; In Cat., iv. 5. Another law of restriction is in Cic., *Pro Cluent.*, 55.



fierce, haughty, and inflexible were found to have accused him falsely. It was astonishing with what facility he seemed to win his popularity."<sup>1</sup> It would be well, could we more exactly describe the lovers and the enemies of the Tribune; but all to be known about them is derived from reflection rather than from positive information, that most of the Knights and the larger number of the lower classes were now sustaining him against the fierce repugnance of the wealthy and the powerful.

It was before many of these multiplied undertakings had been begun, that Gracchus,<sup>2</sup> without any offer or exertion on his part, was elected Tribune for another year.<sup>3</sup> The confidence of his adherents was at its height; and his influence was so widely obeyed, that, while he had no need of using it directly in his own behalf, he was able to obtain the election of the candidate he preferred to the consulship.<sup>4</sup>

Whatever Caius had done or begun to do in his first year of office was, though completed and continued in his second term, but a drop in the torrent required to cleanse his country from its manifold

<sup>1</sup> Plut. C. Gr., 6. The picture may be further touched:—

“Dinanzi  
Ti tremava il senato; riverenti  
Ti fean corona i cittadini; un detto,  
Uno sguardo di Cajo, un suo saluto,  
Un suo sorriso li facea superbi.”

MONTI, *C. Gracco*, att. i. sc. 2.

<sup>2</sup> Οὐ παραγγέλλων οὐδὲ μετίων.  
“Neither asking nor canvassing,”  
says Plutarch. C. Gr. 8.

<sup>3</sup> Beginning at the close of A. C. 123.

<sup>4</sup> Caius Fannius Strabo, whom we shall presently meet again to our sorrow. The election was conducted apparently under a new law of Caius's proposal, which hindered the control of the richer Centuries. “Ux ex confusis quinque classibus sorti centuriæ vocarentur.” Ad C. Cæs. de Rep. Ordin., II. 8.



pollutions. There were other stains upon his dominion, as he knew, to be effaced, and other claims upon his care to be answered, than those within the walls of Rome. A governor of one of the Spanish provinces had extorted a supply of grain from his unhappy subjects and sent it home ; but Caius persuaded the Senate to sell it, so that its value might be returned to the towns from which it had been plundered, and furthermore to censure the governor for making the authority of the Commonwealth odious.<sup>1</sup> A law was soon offered by the Tribune, ordering the assignment of the provinces to their respective magistrates before the elections, in such a manner as to prevent the rapacious Consul or Prætor from using the authority of his office to procure the government best suited to his intentions of pillage ; the same law providing that the term of the provincial governors should not exceed a single year.<sup>2</sup> In a similar desire to promote justice and to establish peace, where strife and rapine had reigned supreme and wild, Gracchus interested himself in the organisation of Pergamus, acquired eleven years before by the Commonwealth ; and it was to his exertions that its people really owed their preservation.<sup>3</sup>

Nor did Caius Gracchus, in his zeal for the oppressed and disordered provinces, overlook the complaints of the nearer and the more kindred subjects.

<sup>1</sup> Plut., C. Gr., 6.

<sup>3</sup> Cic., In Verr., act. II. lib.

<sup>2</sup> Cic., Pro Dom., 9 ; Epist., Ad Div., I. 7, with the comment of Manutius.

III. 6.



He first proposed that the Latins, then that all the Italians,<sup>1</sup> should be made full citizens of the Commonwealth; and it must have been in glowing language<sup>2</sup> that he depicted the change of the city to the nation, still, and more than ever, as he would say, the mistress of the world. Or his proposal of this his most vast reform may be regarded in another light, as one to which he was compelled by the fiercer spirit that had opposed and assailed him since the bitterness between his adversaries and his followers had been increased by the judicial changes heretofore described. In this case, the offer of Gracchus to the Italians would be the beginning of that Providential retribution by which the best and the worst of the Romans were brought to depend, and to depend in vain, upon the aid of the people they had conquered, broken, and disdained.

However this may be, the friends and the foes of the Tribune were almost equally opposed to the offers he had, as they would say, too prodigally made; and from the very moment that his designs assumed their noblest proportions, their appearance is the more melancholy contrast to the perilous situation of their author and to the estranged demeanour of his countrymen. Some of the nearest adherents whom Caius had now turned against him, and many of the mass of his supporters, angered

<sup>1</sup> Here, however, we touch upon disputed ground. Velleius Paterculus (II. 6) says to "all the Italians." Cf. App., Bell. Civ., I. 3; Plut., C. Gr., 8, 9.

<sup>2</sup> See some words, but apparently of an earlier period, in Aul. Gell., x. 3.



by his exertions in behalf of the Italians and the strangers, withdrew their interest, as though it had been unworthily bestowed, and gradually prepared themselves, perhaps to hasten, at all events to rejoice in, his overthrow. He, for the moment, was absorbed in the preparation of leading a colony to Carthage, which he was the more eager to conduct himself, on account of its being chiefly composed of Italian emigrants ; and it appears to have escaped his observation, until his return after a brief absence, that the place he had held before the eyes and in some of the hearts of his countrymen was lost.

This general desertion of the Tribune was caused alone neither by his absence nor by his proceedings before his departure. At the persuasion of the Senate, one of his own colleagues, Livius Drusus, a man distinguished by birth, wealth, and eloquence, had taken the lead of the opposition against Gracchus, then setting out, hardly already gone, to Carthage. To this new leader a craftier policy than any yet employed by his party suggested itself, or was suggested ; in consequence of which the projects of his fellow-Tribune were not only opposed, but replaced by other measures advanced in the name of the Senate,<sup>1</sup>—as if the object of Drusus, says the biographer, were to outbid Gracchus in the pleasure and the favour of the populace. Instead of the two or three colonies, formed of respectable citizens, and charged with duties to the Commonwealth, which Caius had proposed, Drusus began to talk of twelve that should be made

<sup>1</sup> “Largitor nomine Senatus.” Tac., Ann., III. 27.



up of the lowest classes and relieved from tax or charge of every kind ; and so, whatever had been attempted in sincerity by the one was imitated, as if in mockery, by the other Tribune, until Drusus and the Senate were believed to be the benefactors, while Caius Gracchus was regarded as the disguised opponent of the people.<sup>1</sup>

These things are supposed to have occurred while Gracchus was absent, unable to defend himself against the insidious means by which his authority was undermined. As soon as he returned,—which he appears to have done with haste, in consequence of the intelligence he must have received from Rome,—the first point with him being the recovery of his faded popularity, he removed his residence from the Palatine to an humbler quarter near the Forum, and then made one more effort to bring such of his measures as were yet undecided before the Tribes. But his influence was too far upon the wane to shine again as that of the truest man who had yet appeared among the conquerors of the earth ; and they who had basked the most in its rays were now the busiest in proclaiming or precipitating its extinction. Even the Consul who had owed his election to the Tribune now led the hue and cry against him, by ordering all Italians and strangers of every name to leave the city ; and when Gracchus retorted with promises of protection to such as would remain,<sup>2</sup> the Consul

<sup>1</sup> Plut., C. Gr., 9.

<sup>2</sup> Plut., C. Gr., 12. A most improbable story is told of his having failed to give protection to one

who claimed it at his hands. It might have been so, but not under the circumstances which Plutarch narrates.



harangued the people with so much effect,<sup>1</sup> that they united in his support, or rather in that of the Senate, to whom he was but a mouthpiece. The career of Caius Gracchus was virtually ended.

The treachery of those who should have been faithful, and the listlessness of those who should have been earnest towards their leader and their benefactor, are but small items in the account of the wrongs prevailing against the reformer of that society of citizens and rulers which had grown up to its present estate through centuries of strife, and latterly, of dominion. The Roman populace is not alone to blame for its wavering, nor the Roman Senate for its crafty hostility; but the arrogance of the Knights, the dependence of the Italians, and the utter helplessness of all other partisans of the falling Tribune are also to be reckoned; while to the whole list there must be appended the sum of the universal corruption, which the virtues of a single man, born under the same skies, to many of the same errors.<sup>2</sup> could never have counterbalanced, though each hour of his life had been lengthened to a year.

Abandoned, or else unavailingly supported, Caius Gracchus was passed over by the Tribes in the ensuing

<sup>1</sup> Cic., Brut., 26.

<sup>2</sup> Which have no need of extenuation. Caius Gracchus was a good man, in every sense of the word, so far as it is to be used at all in the second century before Christianity. No stories are more to his discredit than that I have re-

lated concerning his pursuit of his brother's enemies, and another of apparently similar passion, very unconnectedly preserved in a fragment of Diod. Sic., Reliq., xxxiv. xxxv. 27. "In virtue and reputation," rejoins Plutarch, "he was the first amongst his contemporaries." C. Gr., 18.



election of Tribunes,<sup>1</sup> amongst whom, even though he had been chosen, there was now no place for him to occupy. The Centuries soon after elected to the consulship one of his bitterest enemies, Lucius Opimius,<sup>2</sup> whose avowed intention to bring Gracchus to account for his deeds was immediately proved by an attack under cover of a bill to recall the colony from Carthage, where, in fact, it had met with many sinister omens and real misfortunes. The decision of the people upon this bill was to be, as they well knew, their decision upon every reform that Gracchus had laboured to secure; yet when the assembly was convened upon the Capitol, it was Fulvius Flaccus who opposed the relinquishment of the colony, while Caius strode up and down in the portico beside the open square, as if he had been a simple spectator, or rather one whose thoughts were wandering from the proceedings before him to the hour in which his brother had come to the Capitol to be slain, or to that silent night in which the same fate had been foretold to him. Some one was so foolish or so dastardly as to insult him, as he walked beneath the portico; at which certain of his followers, who may have been included in the affront, slew the man before their leader's eyes; while he, far from approving their violence, rebuked them for having given

<sup>1</sup> It was rumoured, says Plutarch, that Caius would have been returned, but for the false play of his colleagues. C. Gr., 12.

adversary of Gracchus as long before as the destruction of Fregellæ; and at the consular election of the year preceding the present, his candidature had been defeated by Caius's exertions.

<sup>2</sup> This Lucius Opimius was an



their enemies an excuse for violent measures in return.<sup>1</sup>

The assembly, that day, was broken up by a shower of rain; but on the morrow, the corpse of the murdered citizen was placed before the very doors of the temple in which the Senate were gathered; and when the excitement it produced had reached the proper point, the decree was passed and proclaimed to the people, that the Consuls were armed with absolute authority in the defence of the Commonwealth. On hearing this, Fulvius Flaccus, as was his wont, declared he would defend himself against the Consuls, and began to collect his followers. Gracchus, on the contrary, convinced that the time of his destruction was arrived, turned away quietly to leave the Forum. As he proceeded homewards with some few followers, sorrowing, yet wondering at his silent retirement, the statue of his father seemed to stand in his way. He stopped, lingered, looked at it inquiringly, and burst into tears; but whether shed for himself, for his household, or for his country, those tears were equally sincere and equally unavailing.

Some friends watched with him through the succeeding night, and accompanied him in the morning, when he parted from his wife and child, with heavy heart, to join a disorderly troop which Fulvius Flaccus had collected upon the Aventine. Caius went unarmed, as if he were simply going to the

<sup>1</sup> The man and the cause of his murder are differently described in Plut., C. Gr., 13; App., Bell. Civ., 1. 25.



Forum,<sup>1</sup> and with the intent of preventing bloodshed amongst his excited adherents, who, with Fulvius at their head, would have slain the Senate or fired the city, so that the leader they loved might be preserved. Persuading Fulvius to send his son—a most beautiful boy, says Plutarch—with a message of peace to the Consul and the Senate, that proved ineffectual, Caius then sought to go himself amongst his enemies, but was kept back by persuasion or actual force. The young Fulvius was again despatched; but Opius, the Consul, ordered him to prison, and instantly began his attack, “with soldiers and archers,” upon the Aventine. Fulvius Flaccus soon fled, but was murdered, with his eldest son; his most zealous followers escaped whither they could, or were cut down; while all less earnest or less bold went over to the triumphant faction, directly after the proclamation of an amnesty to any such deserters. Caius Gracchus, who bore no part in the affray he rather did his utmost to impede, betook himself, when others turned to flight, into the neighbouring temple of Diana, where he would have killed himself, but for two faithful friends, Pomponius and Licinius, who wrenched his dagger from his hands and hurried him away. They then kept the bridge over the Tiber<sup>2</sup> against his pursuers until both were slain; while Caius, saved for a moment longer by their devotion, hastened into the grove of the Furies, and fell, at his own

<sup>1</sup> Plut., C. Gr., 15.

<sup>2</sup> “More Coclitis.” Vell. Pat., II. 6. Cf. De Vir. Ill., cap. LXV.



entreaty, by the hands of Euporus,<sup>1</sup> his slave, the only partaker, besides Licinius and Pomponius, of his master's perils. The body of Caius, after being brutally mangled, was hurled into the Tiber, as that of Tiberius had been eleven years before. Three thousand fell that day, in all: a vain and a fearful holocaust to the liberty of Rome.

The widow of Gracchus was sentenced to the forfeiture of her dowry, and forbidden to mourn her husband's fate; his, or rather Fulvius's, followers who survived the slaughter upon the Aventine were strangled in prison; and all the atrocities which frenzied foes could invent were committed against his memory, and those by whom it was cherished.<sup>2</sup> Nor was the reaction in favour of Caius and his elder brother with any generation of their countrymen so clear as to relieve the liberty of Rome from the obloquy of their persecution and death. It seems as if they, or at least the younger of them, had been too true, with all his failings, to be comprehended by a more and more faithless posterity; and even Cicero, the anxious citizen and the warm-hearted man, was unable to render to Caius Gracchus the justice he deserved.<sup>3</sup> The statues of the brothers, it is true,

<sup>1</sup> Vell. Pat., II. 6. De Vir. Ill., LXV. Plutarch (C. Gr., 17) calls the slave, whose name well deserves to be rightly given, Philocrates.

<sup>2</sup> If any one would have more of them, see App., Bell. Civ., I. 26; Plut., C. Gr., 17; Vell. Pat., II. 7.

<sup>3</sup> As in almost any of his writings in which he had occasion to mention either of the Gracchi. De Off., I. 22, II. 21. In Cat., I. 12, IV. 5. The only exceptions I recall are in his oration De Leg. Agr., II. 5, 29.



were set up in public places; and in the spots where they fell many of the Romans were accustomed for years to lay their offerings and to recite their prayers. But the mother, Cornelia, was the only real mourner; and the answer she gave to some who would have consoled her in her childless age was their noblest monument while she lived, and is still the noblest now that she and they are dead two thousand years:—"I can never be called unhappy, for it is I who gave birth to the Gracchi!"<sup>1</sup>

It was said that Caius Gracchus, in the bitter agony which overcame him in the temple on the Aventine, implored Diana that his cruel countrymen might never come out of bondage.<sup>2</sup> His prayer, if he made it, was answered almost before it was uttered; and the retribution of his fate descended, not only upon those who had driven him to death, but upon the whole people that had suffered him to die.

Papirius Carbo, who deserted the fallen cause with as much selfishness as he had embraced it, became Consul the next year, and was then the defender of Opimius for his malignant vengeance upon Gracchus and his followers; but on being accused himself, at last, Carbo, took poison,<sup>3</sup> overwhelmed by his own ignominy. Opimius, whom he had successfully protected, was, some years later, condemned on other

<sup>1</sup> "Nunquam non felicem me dicam quæ Gracchos peperit!" Seneca, *Ad Marc. Consol.*, 16. Cf. *Ad Hel. Consol.*, 16; and see Plutarch's touching account at the end

of his biography of Caius Gracchus.

<sup>2</sup> Plut., *C. Gr.*, 16.

<sup>3</sup> Or else went into exile. Val. Max., III. 7, 6.



grounds,<sup>1</sup> and finally died a miserable exile. Popilius Lænas, the persecutor of Tiberius's adherents, was allowed to return from banishment, on motion of a Tribune, Calpurnius Bestia ; but Popillius lived in obscurity, and Bestia shared the fate of Opimius in after years.<sup>2</sup>

The punishment of the people was equally sure. For some time, indeed, their corn was provided them by the law of their forsaken Tribune ; and they who had obtained lands or employment through his favour did not immediately lose their gains. But one measure after another in their behalf was repealed ;<sup>3</sup> and those of any kind which remained were so perverted as to be no longer distinguishable for what they had been intended. It was then, when the reforms of the Gracchi were sinking below the horizon, that the Commonwealth was seen to be a waste of angry waves.<sup>4</sup>

<sup>1</sup> For taking bribes from Jugurtha. See Sallust., Jug., 16. Cic., Brut. 34.

<sup>2</sup> Cic., Brut., 34. Sall., Jug., 40.

<sup>3</sup> See App., Bell. Civ., i. 27.

<sup>4</sup> "Hoc fonte derivata clades  
In patriam populumque flux-  
it."

HOR., *Carm.*, III. 6, 19, 20.



## CHAPTER II.

## MARIUS.

## SEDITION.

“Controversy continues, and in some instances with a most deplorable disregard to decency and truth. The worst features of party spirit have become canonised.”—HENRY WARE, JR., *Memoir*, Letter in ch. XIV.

THE failure of the Gracchi was the failure of liberty in Rome. It could not, of course, break down at once ; yet the factions in motion to tear it asunder and share its spoils, though too various and too hostile to prevail themselves, were constantly weakening its defences and preparing its submission. It is nothing strange, indeed, that the weapons which alone seemed to threaten its stability should have been ground to dust before it fell. For, instead of the single strife in which the rich men and the poor men of Rome had armed themselves, before the Gracchi came, but especially while they were Tribunes, there arose, soon after their death, a fourfold contest, as it may be called. The rich and the poor, using these names more generally, were then not only arrayed on opposite sides, but were subdivided each into two fierce parties ; those of the rich being the Senators and the Knights, while those of the poor were opposed as native citizens to their Italian



subjects. Even this enumeration is not complete ; but the fifth class, besides, a vast and piteous collection of slaves, paupers, and aliens, was admitted to the arena only in train of one or another division of the superior combatants. It is true, that these different forces were often combined in pursuit of advantages that two or three alike desired ; but it is more generally true, that there was neither desire nor advantage to unite them long or to restrain the freedom of dissension which seemed the prominent characteristic of their liberty.

We have now to trace the individual characters,<sup>1</sup> and at the same time to describe the general movements, of the clouded period opening with the death of the Gracchi, knowing, as we do, beforehand, that where such as they have failed, others, like Marius and Sulla, must succeed.

The year after Caius Gracchus perished, Caius Marius, a man of humble origin and of rugged nature, was elected Tribune.<sup>2</sup> A more singular contrast to his unfortunate predecessor could not easily have been found amongst the Roman people. It was not merely that Marius was born of unknown parents, and in a dependent village<sup>3</sup> of one of the distant towns of Latium, Arpinum by name ; but, more-

<sup>1</sup> "We have now come to that period," said Niebuhr, on approaching the time of the Gracchi, "when the explanation of the mere forms of the constitution is no longer sufficient, and when the men themselves must be considered, each by himself, and when each is a sepa-

rate psychological problem." Lect. x xvii. Rom. History.

<sup>2</sup> In A. C. 120, for the year 119.

<sup>3</sup> Cereatæ. Cf. Plut., Mar., 3. His humble parentage is mentioned besides in Florus, III. 1 ; Juvenal, Sat., VIII. 245 *et seq.*



over, that he had been trained to arms alone in a service of fifteen years or upwards, when he came to Rome under the patronage of one of the great Metelli, with no other claim to the votes of the citizens than the good will of the soldiers.<sup>1</sup> Thought of sufferings seen in war or peace was not his inspiration to seek the office of Tribune ; nor was there any hope in him of saving his countrymen or his country from dangers of which he had never dreamed. Marius asked the tribuneship as he would have asked the command of a cohort ; he came from combat in the field to combat in the Forum ; and whatever his original disposition might have been, his present character was that of a man thirty-eight years old, and not now likely to be changed.

The new Tribune was no better provided with attractions of presence or powers of oratory ; and many who saw him for the first time must have wondered that a Metellus should take the pains to support the canvass of one whose claims, if he pretended to any, could seem genuine only to the populace. But there was more than any populace could comprehend beneath the rough exterior of the Tribune, whom they soon preferred to all his colleagues ; and higher men who came in contact with him found so many signs in him of scorn for the avarice and the corruption of the Commonwealth, as to be persuaded

<sup>1</sup> And of his general, if the story be true, that Scipio Africanus, under whom he served at Numantia, so much commended him as to say he might be his successor. Plut.,

Mar., 3. What sort of intercourse was there between Marius and Caius Gracchus while they were comrades ?



of his penetration, whatever capacity he might have besides to turn his penetration to account. He lived frugally and almost solitarily, as if he shunned the sight of the good, always comparatively speaking, as well as of the bad ; and while others who had any opportunities were pursuing, however mistakenly it may now seem, the studies of which tidings had first been gained abroad, he laughed them to scorn, as if refinement or learning were disgraceful to a Roman. On the other hand, he was straightforward and staunch ; deeply sensitive to superstition in all its influences ;<sup>1</sup> but otherwise as careless of hindrances to the course he followed as of the helps which, by swerving on this side or on that, he might often have gained to the furtherance of his impatient ambition.

Scarcely had Marius become Tribune, when, in accordance with almost every point we have observed in his character, as it was then observable, he turned against the party of the very patron to whom he had apparently owed his election. The measure he proposed, though not now to be very clearly defined, evidently related to the control which the aristocracy, as we may henceforth style the upper classes, whether of Knights or Senators, had exerted, for two or three preceding years, over the elections ; and so skilfully was his project devised,<sup>2</sup> that one of

<sup>1</sup> He pretended, himself, to some skill as a diviner. Val. Max., i. 5, 5. The Syrian prophetess was a later acquisition. Plut., Mar., 17.

<sup>2</sup> The bill ordered the *pontes* or

entrances to the voting-places in the assemblies to be made narrower, so as, probably, to prevent disorder and interference. See Cic., De Legg., iii. 17 ; Plut., Mar., 4



the Consuls, Aurelius Cotta, persuaded the Senate to summon the Tribune before them and to demand some account of his unexpected hostility. Marius obeyed; but it was to brave the Consul and the Senate to their faces. He even dared to threaten Cotta with imprisonment, if he opposed the obnoxious bill; and when Metellus, the other Consul,—and probably the same who, while canvassing for himself, had assisted Marius,—arose to support his colleague, the Tribune declared he would order Metellus, also, to prison. Metellus appealed to the other Tribunes, but ineffectually; and the bill, being brought before the Tribes, was carried without further opposition. That it was not in the mind of Marius to advocate the interest of the lower, so much as to defy the will of the higher classes, was straightway proved by his strenuous resistance to a proposal, probably by one of his colleagues, that a distribution of grain should be made, perhaps gratuitously, amongst the people. Marius would very likely explain his interposition against the projected bounty by saying it was better for the citizens of Rome to earn their food than to be a charge to the Commonwealth; but the truth was, that he liked to combat any cause better than to support it, and if he began with hostilities against the aristocracy, it was not merely because they were most fit to be assailed, but because they would be most fierce against him in return.

It is painful to take any account of the licentiousness and wrong which could make such a spirit as animated Marius honourable. In one year, the Censors



expelled thirty-two members from the Senate;<sup>1</sup> in another, three Vestal Virgins were convicted of the worst crime with which it was thought they could be charged.<sup>2</sup> A Consul, Porcius, the grandson of the great Censor, Cato,<sup>3</sup> who was sent against the barbarians of Thrace, not only lost his army there,<sup>4</sup> but, as if to make up for his defeat, committed the wildest extortions in the province of Macedonia, for which he was afterwards brought to trial and condemned.<sup>5</sup> Yet such was the indifference towards crimes of which it is sad now even to read, that Porcius Cato was afterwards raised to a high station in the army,<sup>6</sup> while two of the Vestal Virgins were at first acquitted by the Pontiffs,<sup>7</sup> and several of the degraded Senators were soon afterwards invested with the greatest honours of the Commonwealth.<sup>8</sup> Whatever might be the confusion and violence at home, the legions, now composed in greater part of allied or foreign than of native troops, were driven farther and farther through the roar of warfare, which could abate, indeed, only for want of enemies, and which rather swelled with every breath of possible hostility.<sup>9</sup> Gaul

<sup>1</sup> A. C. 115. Liv., Epit., LXII.

<sup>2</sup> A. C. 114. Oros., v. 15.

<sup>3</sup> He was likewise a nephew of Scipio Africanus, and, in his youth, a follower of the Gracchi.

<sup>4</sup> A. C. 114. Liv., Epit., LXIII. Eutrop., iv. 24.

<sup>5</sup> Vell. Pat., II. 8.

<sup>6</sup> He was lieutenant in one of the expeditions against Jugurtha, by whom he was easily persuaded

to treachery. He took refuge, afterwards, at Tarragona. Cic., Brut., 34; Pro Balb., 11.

<sup>7</sup> Being found guilty, however, before the Prætor in the following year. Oros., v. 15.

<sup>8</sup> Val. Max., II. 9, 9. Cic., Pro Cluent., 42; In Verr., III. 80.

<sup>9</sup> "And war but for a kingdom more or less."

ROGERS'S *Italy*.



became the scene of the more difficult conflicts, and her barbarians, with many others along the northern boundaries of the Roman dominions, were raising in defiance the shouts to be repeated, but with a different effect, in some future age. It must often have seemed, that, though the foes, already actually conquered before encountering the forces of the Commonwealth, might fall with scarce a blow to bring them down, there might yet be farther and more impetuous races to roll back the tide upon the nation amongst whom the corrupted and the powerful were no more to be depended on as skilful leaders than the impoverished and the degraded could be trusted as valiant followers.

Yet it was from no precautions on the part of those to whom the perils of warfare in connection with the prevailing domestic disorders appeared most formidable, that the later fate of Rome was not anticipated. The enactment of new sumptuary laws,<sup>1</sup> or the revival of old ones, was the chief effort made against an almost universal profligacy ; or else, when too much was plainly perceived to have been left undone, such shifts as seemed commended by the traditions of ancient days were again adopted, and a Gaul and a Greek of either sex were once more brought out in the Forum to be buried there alive.<sup>2</sup> A Consul like Æmilius Scaurus, more capable, naturally and professedly, of exercising authority than the

<sup>1</sup> See note 2, p. 275. Another law, though later, perhaps, is mentioned in Aul. Gell., ii. 24.

<sup>2</sup> Freinshem., Suppl. Liv., LXIII. 17.



generality of his contemporaries, would concern himself, not to relieve the public and private wants of his fellow-citizens, but to regulate the votes of freed-men<sup>1</sup> or the dishes to be served at supper.<sup>2</sup> He was doubtless unaware, like others of his generation, that it was possible for the Commonwealth to be seriously endangered through the means either of those who did or of those who suffered wrong.

Caius Marius, as his conduct in the tribuneship has enabled us to perceive, broke into the midst of the Roman factions as though he had been scaling an enemy's walls, determined to strike down every man he met in arms, but thoroughly careless for the helpless prisoners, or wounded, children or women, who might, perchance, imagine that he was come to their salvation. The consequence was, that his onslaught gained him few adherents amongst those for whom he had effected nothing, while those whom he directly assailed marked him as one to be resisted, thwarted, and overwhelmed. Votes failed him almost totally, when he sought the ædileship ; and on his appearing, a year or two after, as a candidate for the prætorship, there was so little enthusiasm in his behalf that he nearly lost his election, while so much energy was used against him that he was prosecuted for bribery almost as soon as the assembly which elected him was dissolved.<sup>3</sup> Without winning goodwill or good-report during his year of office in

<sup>1</sup> A. C. 115. De Vir. Ill., LXXII. supper. Plin., Nat. Hist., VIII. 82.

<sup>2</sup> His law forbade dormice for <sup>3</sup> A. C. 115. Plut., Mar., 5.



Rome, he proceeded, at its expiration, to Spain, where he found more congenial duties in subduing the turbulence of his province. Yet the rudeness or even the ferocity of temper which made Marius decided in war and quarrelsome in civil life was still allied to the same qualities we have already discerned in him ; and they who censured, as well as they who applauded, his demeanour believed him to love his country, though it might appear to be at the expense of his countrymen. On his return from Spain, he married Julia, a woman of the highest family ; but notwithstanding the apparent singularity of the alliance, there is no evidence of its having affected the hostility of Marius towards the aristocracy, though it may have impaired the confidence which some of the more popular party previously felt in him, however little he had sought to be their champion before his marriage.

The war with Jugurtha, the usurper and the hero of Numidia, soon ensued. He had learned the weaker as well as the stronger points of the Romans by serving in their army before Numantia, from which he returned with the most brilliant praise from Scipio Africanus ;<sup>1</sup> and now, fortified by the adoring devotion of the Numidians, over whom his crimes and various endowments<sup>2</sup> had exalted him to be king,

<sup>1</sup> "Jugurthæ tui," as Scipio wrote to Micipsa, the king and the uncle of Jugurtha, "bello Numantino longe maxima virtus fuit ;..... nobis ob meritos carus est." Sall., Jug., 9.

<sup>2</sup> See Sallust's account of him, Jug., 6. "Fuit in Jugurtha," says Florus, "quod post Annibalem timeretur." III. 1.



he did not dread to encounter the armies, or rather the rulers of the Commonwealth. His bribes, unspared, yet not misplaced, were quite as efficacious against them as their arms had been against their former foes; and though the rich and the noble were arraigned in Rome for having yielded, Jugurtha, who came, under promise of safe-conduct, to give his testimony against them, could exclaim that the city was sure to perish as soon as it found a purchaser.<sup>1</sup> After many shameful reverses, in consequence of the baits which the Numidian still threw before his pursuers, the command of the army sent out against him was given to Quintus Cæcilius Metellus, then just elected Consul,<sup>2</sup> than whom there was none among the aristocracy more distinguished for integrity, the quality most wanting to the successful prosecution of the war. It is an indication of the military repute in which Marius was held, that Metellus chose him, at such a crisis, for his lieutenant. The appointment may also prove that the breach between the Metelli and their early favourite, perhaps between him and the whole aristocracy, had been repaired, not, indeed, in consequence of his marriage so much as because the indifference of the people had left him less dangerous in aspect towards the upper classes. However this may have been, Marius appears to have gone forth from Rome with ardent resolution, for his own sake

<sup>1</sup> Liv., Epit., LXIV. Sall., Jug., 35.

<sup>2</sup> A. C. 109. The war had be-

gun in 111. This Metellus was probably the cousin of him who aided Marius in obtaining the tribuneship.



or for that of the Commonwealth, to assist Metellus in bringing the war with the wily, and the daring Numidian to an instant close.

But though Metellus kept his command for two years and gained some great victories, the enemy was far from being subdued. The same protection he had found in the corruptibility of the Romans was now afforded him by the dissensions existing between their leaders ; and when Marius succeeded, after long and bitter controversy with his general, in returning home, to sue for the consulship and the command of the war, in which he had gained greater renown amongst the soldiers than his superior, the opposition of the aristocracy, and the lukewarmness of the people were alike overborne by the promises he made, that he would "either kill Jugurtha, or take him prisoner."<sup>1</sup> It was the unwillingness of all classes to hear more of a contest too long protracted, that smoothed the way of the soldier and the unpopular magistrate to the highest office in their gift ; and if somewhat too much stress appear to be laid upon Marius's ill-report as a citizen, in comparison with his good-report as a soldier, it must be remembered that in this is our best means of judging, not only him, but his fellow-countrymen, under the natural influences of all their warfare.

In regard to merely military qualities, the great

<sup>1</sup> Plut., Mar., 8. This was at the end of A. C. 108. "Irrupit magis in curiam quam venit." Val. Max., vi. 9, 14. "Perculsa

nobilitate, post multas tempestates, novo homini consulatus mandatur." Sall., Jug., 73.



soldier was much the same in one as in another century of the Commonwealth, at least from the period in which the legion was introduced as the common mould of Roman discipline; and though the armies were differently recruited, almost from year to year, the requisites and the tactics of their leaders did not essentially vary from the days of Valerius Corvus to those of Cæsar. But the towering zeal for the public service by which the hero of the earlier ages was inspired, dwindled, as we have already had occasion to observe, often to the party spirit, and sometimes to the self-conceitedness, of those who won their triumphs on the later battle-fields; and so wide is the separation in this view between the generals of various periods, that the connected analysis of the motives with which they went to war would guide us far through the labyrinth of Roman history. For from first to last, as scarcely need be said, the mighty in war were the mighty also in peace at Rome.

The time has come when much of the restraint hitherto imposed upon the ambition of the military chieftain was shaken off; and from the election of Caius Marius to the consulship we shall behold repeated scenes in which such conduct as that of Scipio will lead to far more general sorrows than the exile of the single offender.

“I know,” as Marius is reported to have said before the people, soon after his election, “I know that the eyes of all are turned upon me. The good and the just are on my side, for my services are plain to them; but the nobility wait a chance of attacking me; and



I have the more to do, that ye may not be injured, and that they may seek in vain to injure me. . . . .  
But compare me, Romans, compare me, the new man, with the arrogance in them. What they are wont to hear or read, I have seen or done ; what they have learned in books, I have learned in war. Think now, yourselves, whether deeds or words be of greater value. These men, I tell you, despise my want of birth ; I despise their want of soul. They upbraid me with my rank ; I upbraid them with their shame. . . . .  
They envy me, too, my honours ; but let them likewise envy me my labours, my virtues, and my perils since it is through these that I have risen to honour. I have no images, no triumphs, no ancestral consulships to parade before you ; but if need be, I can shew you spears, banners, trappings, and other rewards I have gained in service, besides my wounds. Such are my images, such is my nobility, not, indeed, bequeathed like the heritage of my foes, but won through suffering and danger. . . . . I cannot speak in highflown words, but I can wound an enemy or mount a guard ; I can face every thing but evil report ; and I can bear summer and winter, fatigue and want, with equal fortitude . . . . . And now that I have said this," he continued, "let me say something concerning the Commonwealth."

If the character attributed to Marius in the foregoing pages has been sketched with any sort of distinctness, the reader will not be surprised by the spirit of the preceding language, or by the patriotism in the concluding part of the harangue. But to understand



his tone "concerning the Commonwealth," he must be seen as he stood, a man of fifty years, rugged in feature and in tongue, proud in himself and bitter against his adversaries, with scarce a friendly feeling towards any but his warmest partisans or bravest fellow-soldiers. "Concerning the Commonwealth, then," he added, "be of good cheer about Numidia. Ye yourselves have put to rout the avarice, the ignorance, and the haughtiness, in which Jugurtha has hitherto found protection amongst you. And now do ye, who are of age, give me your aid, and I will be, not only your leader, but your comrade. I would say more, if words could add valour to the timid; but I think I have said more than enough for the brave."<sup>1</sup> The liberty of the Commonwealth, to which this kind of support alone was promised by its Consul, is to be computed according to the general principles already alleged in introducing the successor of the Gracchi.

With new forces, principally raised from the lowest and the poorest classes, besides whom there were few Romans or even Italians to enter upon military service, Marius hastened to Numidia, where he took the army of Metellus under his command, and immediately began his operations against the enemy. The Numidians feared him as more than mortal,<sup>2</sup> says the historian; and in presence of their dread, the confidence of his own soldiers, with whom he shared

<sup>1</sup> See the whole speech as reported or composed by Sallust in his Jug., 85, and compare Plut., Mar., 9.

<sup>2</sup> Sall., Jug., 92.



both toils and prizes,<sup>1</sup> as he had promised, like a comrade, enabled him soon to overcome Jugurtha and close the five years' war. The adversaries of the conqueror would have given the credit of the victory to Lucius Cornelius Sulla, a Quæstor under Marius, into whose hands the Numidian king had been betrayed ; but though Marius yet lingered near two years in Numidia, in order to complete its settlement as a province, he was elected to the consulship before his return,<sup>2</sup> and welcomed by the larger part of his countrymen as the greatest hero of their times.

Marius was already counted upon to finish another war far more threatening than that from which he was then returning. A horde of barbarians, driven, it was said, by some dreadful inundation of the sea from the Baltic shores, but known only by name as the Cimbri and the Teutones,<sup>3</sup> with whom various tribes from Central Europe joined themselves, defeated within six years<sup>4</sup> four Roman armies endeavouring to stay their progress. At about the time of Marius's departure from Numidia, a fifth army, though composed of a double consular force, was confronted in Gaul, and there destroyed.<sup>5</sup> The terror of

<sup>1</sup> Sall., Jug., 87. See the description of Marius as the general, capp. 87, 100.

<sup>2</sup> For the year A. C. 104. His triumph was "very glorious," says Sallust., Jug., 114. Metellus had obtained his triumph and the surname of Numidicus (Vell. Pat., ii. 11) before Sulla was taken by the aristocracy for their hero. Jugurtha was put to death in prison after

Marius's triumph. Liv., Epit., LXVII. Plut., Mar., 12.

<sup>3</sup> In numbers, perhaps with their allies, they were reported at 300,000 fighting men. To say truly, however, as Plutarch wrote (Mar., 11), "None knew who they were, or whence they issued, like a cloud."

<sup>4</sup> A. C. 113—107. Liv., Epit., LXIII. LXV. LXVII.

<sup>5</sup> A. C. 105. Liv., Epit., LXVII.



the Romans, victors as they were, was always easily aroused by the din of barbarian arms ; and the rumour easily spread, that the fearful warriors were bent upon ravaging Italy and sacking Rome.<sup>1</sup> It was in face of this report, and after these actual losses, that Marius was elected Consul, not only for the second, but, as the invaders delayed their coming, for the third, the fourth, and again for the fifth time ;<sup>2</sup> the news of this last election being brought to him at the moment of sacrifice for the first victories<sup>3</sup> he had won, near Aquæ Sextiæ in Gaul, over the Teutones and their allies. The three preceding years had been spent in rigid preparation against the enemy ; and the battles at Aquæ Sextiæ had scarcely proved the skill of the general and the discipline of the men, before they were obliged to hasten into the North of Italy, where the other division of the barbarians, the Cimbri, were driving the army under the command of the Proconsul, Lutatius Catulus, to the Roman side of the river Po. Marius, who, meanwhile, had gone to Rome at the summons of the Senate, but who had refused to celebrate any triumph while the foe was sweeping Italy, hurried back to join his army on its march, with which, in conjunction with that of Catulus, he overtook the Cimbri near Vercellæ, and not only totally defeated, but actually annihilated, the entire horde.<sup>4</sup> The victorious general had not exaggerated the importance of the war thus ended, when

<sup>1</sup> Plut., Mar., 11.

<sup>2</sup> That is, for A.C. 103, 102, 101, successively. Plut., Mar., 14, 22.

<sup>3</sup> "Duobus præliis." Liv., Epit., LXVIII.

<sup>4</sup> Liv., Epit., LXVIII.



he told his soldiers in Gaul, that they were not come out to fight for temples or for trophies, but to dispel a tempest that menaced Italy with ruin.<sup>1</sup>

The best days in the life of Caius Marius were those which followed these momentous victories. His passions seemed to have been fed to repletion upon the boisterous excitements and the hard privations of the years just passed; and when he came back to Rome, it was to prove his forbearance, and to enjoy, as it appears, a brief repose. Taunted by the very men who had shortly before entreated him to accept their proffered honours, but who were now so liberated from their fears as to turn against him and ascribe the credit he deserved<sup>2</sup> to Catulus, Marius was, for the moment, too high removed above factions and jealousies to retort upon his former colleague or his recent supporters. Instead of commemorating his victories by himself, he shared with Catulus his triumphal festivities for the defeat of the Cimbri, and refused the solitary celebration offered him for his successes in Gaul.<sup>3</sup> The rude heart of the warrior was touched by the praises he received, and still more, perhaps, by the superstitious confidence he gave himself as the preserver of the Commonwealth and the third founder of Rome.<sup>4</sup>

<sup>1</sup> Plut., Mar., xvi.

<sup>2</sup> The account in Plut., Mar., 27, must be taken as one derived from the authority of Marius's enemies, perhaps from the Commentaries of Sulla.

<sup>3</sup> Liv., Epit., LXVIII. Plut., Mar., 27.

<sup>4</sup> Ibid., and Val. Max., viii. 15, 7. "Actum erat," says Florus (iii. 3), "nisi Marius illi sæculo contigisset."

"Et solus trepidantem protegit urbem."

JUVENAL, *Sat.*, viii. 250.



Leaving Marius to the enjoyment of his fame and better spirit, we may turn to other names, and seek the courses of other lives, concerning which there are various episodes to be introduced into our history.

Some fifteen years before the repulse of the barbarians, Metellus Macedonicus, the hero of several campaigns, not only in Macedonia, whence he obtained his name, but in Achaia and Spain, — the person also whom Atinius Labeo, the Tribune, assailed, as previously described, — was gathered to his fathers. Long remembered by his contemporaries and their posterity as a man whose happiness could hardly be matched in “any nation, rank, or age,”<sup>1</sup> according to the historian, he seems to be still the fittest example of the life and the renown in most esteem amongst his countrymen. It was, in their eyes, by Fortune that he had been conducted with never-ceasing indulgence from the first to the last day of his existence;<sup>2</sup> and in presence of the testimonies that remain concerning his rank, his wealth, his honours, and his family, there is little reason to doubt that Metellus was as fortunate a man as had ever lived and died in Rome. The fame he obtained alike in peace and war filled his home with incense, through which it is not immediately possible to see his features, or to hear his deeds repeated, as they

<sup>1</sup> “Vix ullius gentis, ætatis, ordinis hominem inveneris cujus felicitatem fortunæ Metelli compares.”—Vell. Pat., i. 11.

<sup>2</sup> See the panegyric of the ad-

miring chronicler in Val. Max., vii. 1, sect. 1, and look into Plin., Nat. Hist., vii. 45, or Cic., De Fin. Bon. et Mal., v. 27. He died A. C. 115.



really were; but the glory vanishes even without arraigning the religion he believed or the general principles in which he spent his days. For other things are told about him than his eulogies contain. There was a general who took pains, at the end of his service in Spain, to destroy the efficiency of the army he had commanded, because his successor was a personal enemy.<sup>1</sup> There was a rich man, and a noble, who came forth to reproach Tiberius Gracchus for the exertions he was making in behalf of the poor, and for the marks<sup>2</sup> of their attachment that he received.<sup>3</sup> The rich man and the general were one and the same Metellus, who could not have been born or taught in happiness through such animosities as these.<sup>3</sup>

Yet hostility was like the atmosphere which all men breathed and through which they all beheld the neighbouring or the distant objects within their various spheres. Even the nooks and shady places, seemingly the most protected, were so penetrated and swept by the sharper air as to lose their quietness

<sup>1</sup> Val. Max., ix. 3, 7.

<sup>2</sup> Plut., Tib., Gr., 14. Cic., Brut., 21.

<sup>3</sup> An epitaph upon a Scipio who seems to have died about this time would be a better testimony than the eulogies of Metellus to the Roman ideas of prosperity, if it were certain who its subject really was. I give it with the abbreviations filled out:—

“Cneius Cornelius Cneii filius Scipio Hispallus,

Prætor, Ædilis Curulis, Quæstor, Tribunus Militum ii. [bis], Decemvir, Decemvir Litibus Judicandis, Decemvir Sacris Faciendis.

Virtutes generis meis moribus accumulavi.

Progeniem genui. Facta patris petivi.

Majorum obtinui laudem ut sibi me esse creatum

Lætentur. Stirpem nobilitavit honor.”

ORELLI, *Inscrip. Lat.*, 554.



and verdure, with which, perhaps, they had never been permanently or even naturally visited. Some names of poets, tragic and comic,<sup>1</sup> succeeding to those already recounted, were followed by that of Lucilius,<sup>2</sup> whose satires, though themselves lost, are nevertheless described with sufficient clearness to prove the prevalence of the error and the vehemence of the recrimination by which the poet was inspired. Ennius had left some satirical compositions, which may have served as models, at least in form, to Lucilius; but the bitterness of the later satirist was much the bolder and keener. Of distinguished, though not of Roman descent,<sup>3</sup> and admitted to the familiarity of many who were higher in rank than himself,<sup>4</sup> Lucilius spent his days in the usual entertainments of a wealthy citizen, free from personal wants or grievances, yet dealing out his swift and piercing railleries on every side. He had served with Caius Gracchus in his youth; and though there is no positive proof of any friendship between the two, it is not improbable to imagine that the poet may have been stirred to remonstrance against the fate of the Tribune, or else, if he were opposed to his former

<sup>1</sup> Cæcilius Statius (died A. C. 168), a freedman from Insubria, was one of the comic writers. Marcus Pacuvius (died A. C. 130), a nephew of Ennius, was renowned for his tragedies, and for his paintings likewise. See also Aul. Gell., xv. 24.

<sup>2</sup> Born, according to the Eusebian chronology, A. C. 148, and died in 103.

<sup>3</sup> Velleius Paterculus (II. 9) mentions his serving before Numantia as an Eques, and he was then very young.

<sup>4</sup> He seems to have been the boon-companion of Scipio Africanus and Lælius "the Wise." See Horat., Sat., II. 1, 71 *et seq.*, with the Vet. Schol. thereupon.



comrade, then that he let fly his shafts simply because he liked to aim at those he knew to be vulnerable. His lighter weapons being spent, he seems to have drawn his sword, as one of his successors wrote,<sup>1</sup> and to have pressed on hotly, as another describes,<sup>2</sup> without regard to rank or numbers ; until at length, as his own words bear witness, he dared to hurl defiance at the immortals.<sup>3</sup>

It is the want of faith in the gods or in any enduring justice that can alone explain the succession of events in the passing period of our history. The single tribunal to which the disputes of factions or the crimes of individuals could be referred was that which stood on earth, itself begirt with criminals and combatants ; and if one like themselves appeared before it, he could meet acquittal or else be condemned only from private motives of revenge. When Quintus Metellus, the nephew of Macedonicus, returned to Rome, exasperated at the appointment of Marius to the Jugurthine war, he seems to have been accused of some extortion or oppression in Numidia.<sup>4</sup> But on his appearance before his judges, such

<sup>1</sup> "Ense velut stricto quoties  
Lucilius ardens  
Infremuit," &c.—JUV., *Sat.*, I. 165.

<sup>2</sup> "Primores populi arripuit populumque tributim."  
HOR., *Sat.*, II. 1, 69.

<sup>3</sup> "Terriculas Lamias Fauni  
quas Pompiliique  
Instituere Numæ, tremit has ; hic  
omnia ponit,  
Ut pueri infantes credunt signa  
omnia athena

Vivere et esse homines ; sic isti  
omnia ficta

Vera putant ; credunt signis cor  
inesse in ahenis

Pergula pictorum ; veri nihil : omnia ficta."

AP. LACTANT., *Div. Instit.*, I. 22,

<sup>4</sup> "Causa repetundarum." VAL. MAX., II. 10, 1. It is not certain however, that the charges were brought against him for what he had done in Numidia.



was their indifference to a charge of cruelty towards any foreigners, that they refused to examine his accounts,<sup>1</sup> as if it were unworthy to countenance a similar prosecution ; while the Senate or the people, in order, perhaps, to atone for the slights he had received in being both recalled and accused, celebrated his triumph with the greater zeal, and gave him the name of Numidicus, as the conqueror of the country in the subjugation of which Marius was then engaged.

But there were times when the condemnation passed upon offenders brought to trial was the perversion rather than the triumph of justice, on account of the malignity with which it was declared. As animosity increased between the Knights, from whom the judges, according to the law of Caius Gracchus, were still selected, and the Senators, from whom the great governors and generals, commonly accused at the end of their terms as public criminals, were usually chosen, so the trials in which the shame of the Commonwealth lay bare became more frequent and more tumultuous. One of those most likely to feel the danger he ran on account of the wrongs formerly unpunished, but now pursued to the death with passion and party violence, was Servilius Cæpio, the son of him who murdered Viriathus, as proud and avaricious as any of the Senate to which he belonged. After holding the office of Prætor and doing some

<sup>1</sup> Val. Max., II. 10, 1. Cic., Pro Balbo, 5. Of course the refusal was ascribed to Metellus's integrity. Some years afterwards,

a man was acquitted of corruption in Sicily by shewing his wounds. Cic., De Orat., II. 47.



service in Spain, he was elected to the consulship, perhaps because he had pledged himself to the bill he soon preferred for restoring the judicial powers, in possession of the Knights, to the Senators.<sup>1</sup> The strife immediately ensuing between the factions of the rich betrayed the alarming extent of the bitterness by which they were divided. The Senate sent their most persuasive orator into the midst of the assembly before which the Consul was probably urging his bill in their behalf. "Save us," cried Licinius Crassus to the higher Centuries, whose votes alone were worth his entreating, "save us from miseries,—save us from the jaws of men whose cruelty can never be satiated with our blood; nor suffer us to serve any one man or order, but rather your whole body, whom we both can and ought to obey."<sup>2</sup> The auditors were many of them as eager as the orator or the Senate to pass the bill which would deliver them from the power of judges over whose appointment, and consequently over whose sentences, they had no possible authority. The law appears to have been carried; and Cæpio was rewarded by the Senate with the title of their Patron.<sup>3</sup>

He soon obtained the opportunity of rewarding himself in a more substantial manner, by procuring the office of Proconsul in Gaul, where spoils lay

<sup>1</sup> So Tacit., Ann., xii. 60. Some writers, however, following Jul. Obsequens (Prodig. Lib., 101), consider the bill as having proposed a division of the judicial powers between the Senators and

the Knights. It is all doubtful. The consulship of Servilius was in A. C. 106.

<sup>2</sup> Cic., De Orat., i. 52.

<sup>3</sup> Val. Max., vi. 9, 13.



thickly heaped, or else could now be readily collected, without the fear of trial or rebuke at Rome. The severity of the judgments passed by the Knights upon their opponents amongst the Senators has not yet entirely been explained; for though it arose from party fervour much more than from zeal for justice, it was especially heightened by the clashing interests of the two orders in every province of the Commonwealth. If the governor from the Senate sought to reap a fortune in the year of his authority, the publicans, from the Knights, were as eager to turn their speculation in the provincial taxes to the best account; and close along the vile exactions of the one, so close as to interfere with and sometimes to stay their course altogether, those of the other party were pressed with equal cupidity. Servilius Cæpio was too successful in the rapine of his proconsulship to be spared by those whose gains had been curtailed, or by others whose rapacity had simply been outdone by his extortions. He was one of the two generals together brushed aside by the barbarians<sup>1</sup> then thronging through the centre and the west of Europe; and his defeat by them, as well as his plunder of the Gauls, being some years afterward charged upon him, he was sentenced by the Knights — to whom the judicial powers formerly conveyed by his law to the Senate, had since recurred — to death or exile,<sup>2</sup>

<sup>1</sup> Liv., Epit., LXVII. His plunder of Tolosa was one of the most extraordinary acts of pillage committed even in the Roman pro-

vinces. Dion Cass., Fragm., xcvi. Justin., xxxii. 3.

<sup>2</sup> Val. Max., vi. 9, 13, iv. 7, 3. His goods were confiscated and



although the members of his party made every effort to procure his acquittal.<sup>1</sup> The secret of his condemnation, however, lay, not merely in any provocation he might have given to the opposing faction, either at home or in his province, but in the offence of which, in being routed by the barbarians, he was guilty towards the Commonwealth.

For the spirit of earlier generations to uphold the majesty of Rome was very far from being extinct; and though the preceding relations, if properly strung together, form something like a rosary upon which the frailties and the sins of the governing classes may be told, the very men who erred the most were, perhaps, the loudest in their professions of obedience, more rarely of penitence. It was this very union of avowed uprightness with equally avowed transgression that hastened, nay, that actually wrought the decay of liberty in Rome.

The efforts of the Gracchi, to them so fatal and to the Commonwealth so vain, did not preclude the attempt or the pretence of some further repairs upon the enfeebled constitution of the people and their government. These later reforms, to which a different name may soon appear to be more appropriate, will complete the history of the period here marked by the name of Marius.

his Imperium withdrawn immediately after the defeat. Liv., Epit., LXVII. But he was not tried until A. C. 95, and then evidently for party reasons. Licinius Crassus, the same who spoke in behalf of his law, was his advocate at the trial.

<sup>1</sup> Cicero (De Orat., II. 47) gives an account of the tumultuous scenes at the trial.

Another instance of the extraordinary lawlessness of the times is related in Diod. Sic., Reliq., XXXVI. 2.



In the year of his second consulship,<sup>1</sup> over which we passed as if the account of his preparations against the barbarians were all that it required, three Tribunes undertook, as it seemed at first, to walk in the footsteps of the benevolent and courageous men who had preceded them, in pursuing such projects of general amelioration as they could conceive. The people, in contradistinction to the aristocracy, of Rome were now so thinned and changed, that there were few, perhaps none, in the Forum whose forefathers had taken part in the great contest between the estates of former centuries; but though their elevation, as new-comers at various seasons, and from different parts of Italy, was far more impracticable than the regeneration of a mass of genuine Plebeians, there was something to give them hope in the tribuneship of Marcius, Cassius, and Domitius. Marcius Philippus, declaring, as one stung by remorse, that there were not two thousand citizens in all who had any thing to call their own,<sup>2</sup> endeavoured to revive the Agrarian law, whose vitality had long before departed, even if its memory were not totally extinct. Cassius Longinus procured a law, that no Senator should preserve his rank, and no general retain his commission, after having been found guilty of any charge on public trial.<sup>3</sup> And Domitius Ahenobarbus, on his part, proposed and carried a bill by which the election of the priests, hitherto chosen by their

<sup>1</sup> A. C. 104.

<sup>2</sup> Cic., De Off., II. 21.

<sup>3</sup> Cic., Pro Caio Cornelio, Fragm., i., with Asconius's commentary.



several colleges, should be committed to the people.<sup>1</sup> It is only by discovering the impulses of these Tribunes that their measures are reduced to the poor valuation they deserve. Domitius desired to secure his own election to the pontificate;<sup>2</sup> Cassius wished to satisfy a grudge he bore to Cæpio, just then disgraced by public act on account of his proconsulship; while Marcius Philippus, so soon as he found his agrarian projects were unacceptable, abandoned them as though he had done wrong in bringing them forward.

In the same year of these pretences on the part of the three Tribunes, a young man of eminent birth was removed by order of the Senate from the quæstorship he held at Ostia, a post of great importance in relation to the public supplies of grain. The Quæstor thus publicly ejected was Lucius Appuleius Saturninus, to whom the affront, however deserved by luxuriousness or inactivity, was intolerable. He had wealth, eloquence,<sup>3</sup> above all, unfailing audacity, to bear him on; and as soon as he was cut adrift, as it were, by the aristocracy, to which he had hitherto, somewhat restlessly perhaps, adhered, he shaped his course to hinder theirs, and, as it proved, to run them down.

The party of the populace, scarcely meriting the name they bear in history, of the democracy, were

<sup>1</sup> Vell. Pat., II. 12. The attempt had been made before. See book II. ch. 14, p. 195. The colleges still preserved the form of cooptation, as it was called.

<sup>2</sup> Liv., Epit., LXVII. Val. Max., VI. 5, 5.

<sup>3</sup> "Seditiosorum omnium post Gracchos L. App. Saturninus eloquentissimus visus est." Cic., Brut., 62.



soon persuaded by Saturninus to favour his daring enterprise ; and he was by them elected Tribune,<sup>1</sup> the first of a new line. In consequence of some violent disputes between him and the aristocracy, as well as on account of his personal profligacy, and perhaps, also, of some private dissensions,<sup>2</sup> Saturninus was marked by the Censor, Metellus Numidicus, for expulsion from the Senate, to which he belonged by virtue of his quæstorship and tribunate. The colleague of Metellus saved the Tribune from the reproach of a second public dishonour ; but Saturninus, who appears to have been as keenly exasperated as if his enemies had again disgraced him, was only the more eager in his union, or, as it might be styled, his conspiracy, with the populace to bring Metellus and all upon that side, if not to shame, at least to ruin. The year after his narrow escape from degradation, he came forward as a candidate for a second tribuneship ; and though brought to trial, on the charge of some public outrage,<sup>3</sup> before judges who were his adversaries, the violent demonstrations of his followers procured his acquittal, and were on the point of carrying his election besides, when a sudden turn, either in favour of his opponents, or in their tactics, threw him out of the number of successful candidates, and left him to all appearance

<sup>1</sup> For A. C. 102. "Per ignominiam,".....as Cicero describes him, "scimus dolore factum esse popularem." Pro Sext., 17. De Harusp. Resp., 20.

<sup>2</sup> Oros., v. 17.

<sup>3</sup> Of having insulted some ambassadors who came from Mithridates with bribes rather than proposals to leading Senators. Diod. Sic., Reliq., xxxvi. 15.



incapacitated for further sedition. But Saturninus, instead of being dejected by a reverse he could not have anticipated, resolved upon fiercer steps, and actually murdered one of the Tribunes elect,<sup>1</sup> to make way for himself amongst the magistrates of the ensuing year. Servilius Glaucia, a designing man,<sup>2</sup> long leagued with Saturninus in his factious schemes, and recently appointed Prætor by the same party that had failed to return his confederate to the tribunate, called the Tribes together to vote in the murderer; and the election to which they consented is proof, not so much of Saturninus's strength, as of the weakness of the Commonwealth.

The year<sup>3</sup> opened ominously with two such magistrates upon its lists as Saturninus and Glaucia; nor were the spirits of better men reassured when they saw that Caius Marius, then elected to his sixth consulship, was plainly inclined to join the Prætor and the Tribune in their headlong charge upon the aristocracy. The few months which followed his return from destroying the invaders in the North had soon been overcast by the evil spirit to whose revival he was necessarily more open than to the continuance of the moderation and the amicableness in which we left him some time past. His recklessness and utter destitution of any thing that could be called refinement had not been amended by the habits

<sup>1</sup> A. Nonius. Plut., Mar., 29. Appian says (Bell. Civ., i. 28) that he was murdered by the partisans of his rival.

<sup>2</sup> "Longe autem post natos homines improbissimus C. Serv. Glaucia, sed peracutus et callidus," &c. Cic., Brut., 62.

<sup>3</sup> A. C. 100.



of camps and victories, nor were they likely to be improved under the derision and the malignity with which he was fairly persecuted by the envious and many of the serious amongst his fellow-citizens. It is true, that he often exposed himself to censure ; as when, in the heat of his gratitude for the services rendered in the campaign against the barbarians by some thousand of the inhabitants of Camerinum, a town in Umbria, he endowed them all with citizenship, declaring, on being afterwards called to account for his unwarranted munificence, that he had not heard the law amid the noise of arms.<sup>1</sup> But though he gave his adversaries occasion to assail him on open grounds, it might have been remembered, in his extenuation, that he had done more service to his country than any man alive, and that his age, now seven-and-fifty years, would naturally dispose him to obstinacy in his own impressions, however faulty or ill-starred.

The venom with which he was nevertheless pursued took effect in his rude and jealous soul ; and when Saturninus assumed the leadership of the populace against the faction which, with Metellus Numidicus at his head, was turning the small measure of human kindness in Marius to bitter gall, the old man joined the young man in his seditions. One of his earlier nominations to the consulship<sup>2</sup> had been

<sup>1</sup> Plut., Mar., 28. So Val. Maximus, who adds (v. 2, 8) :—  
“Et sane id tempus tunc erat quo magis defendere quam audire leges

oportebat.” Cf. Cic., Pro Balb., 20.

<sup>2</sup> That for A. C. 102, his fourth term. See Plut., Mar., 14.



strenuously supported, and at his own request, by Saturninus, then in his first tribuneship ; and so thoroughly was their subsequent alliance prepared and finally cemented, that, in the canvass upon which they engaged together, the one was as free of his bribes to be made Consul<sup>1</sup> as the other was reckless of his crimes to be appointed Tribune. Immediately after their irruption into their respective offices, the Tribune preferred a bill, under the title of Agrarian, to divide the lands in Gaul, first conquered and then lost by the Cimbri and their followers, among the soldiers, Roman and Italian, of the Commonwealth ;<sup>2</sup> a clause being attached to exact the adherence of the Senate to the bill within five days, under penalty of fine and degradation.<sup>3</sup> A more artful measure could not have been proposed. It contented the populace, delighted the soldiery, and embarrassed the Senate ; while Marius was further flattered by being designated as the commissioner to whom the division and the settlement of the lands were to be intrusted with the unusual privilege of bestowing the full rights of citizenship upon three individuals in every colony that should be formed.<sup>4</sup> But the craftiness of calculation apparent in the bill of Saturninus was not nearly so amazing as the extravagant and passionate ambition by which it had evidently been framed ; and none could doubt that it was the first move in

<sup>1</sup> Rutilius, ap. Plut., Mar., 28. A trustworthy authority, if the story of his trial (Cic., De Orat., i. 53 ; Val. Max., ii. 10, 5 ; and Vell. Pat., ii. 13) be true.

<sup>2</sup> App., Bell. Civ., i. 29. De Vir. Ill., LXXIII.

<sup>3</sup> Appian., *loc. cit.*

<sup>4</sup> Cic., Pro Balb., 21.



the game of the Tribune and the Consul for overpowering authority.

Even the faction they led hesitated to follow them, when the direction of their efforts was made more manifest. In the midst of the doubts and the agitations of their opponents, on the proposal of the bill before the Tribes, a peal of thunder, an evil omen at which an assembly always dispersed, was declared to have been heard. "It shall hail," cried Saturninus, "if ye be not silent;"<sup>1</sup> and a brutal riot ensued, in which the bill was passed. Marius averred in the Senate, that he would not swear to the law, according to the clause requiring their adhesion within five days; but if he really had any momentary compunction concerning the violence of his partisans, he was the first, when the fifth day arrived, to take the oath as Consul. Metellus Numidicus, who denied from the beginning that he would obey a law thus forced upon the Senate, and equally upon the people, refused, at the last, to break his resolution, and, with a firmness worthy of greater respect than it received, went into voluntary exile.<sup>2</sup> The enmity of the Tribune and of the Consul against him was appeased.

But it was yet too soon for such a triumph as theirs to be of any duration in the Commonwealth. Saturninus, indeed, went on to renew the law of Caius Gracchus, concerning the distribution of grain, this time at a merely nominal price.<sup>3</sup> He also united

<sup>1</sup> De Vir. Ill., LXXIII.

<sup>3</sup> Cic. (if the work be his), Ad

<sup>2</sup> App., Bell. Civ., i. 30, 31. Plut., Mar., 29.

Herenn., i. 12.



with Servilius Glaucia in promoting the bills brought forward by this notorious Prætor, as though he himself had been immaculate, against bribery and corruption, of which, however, the main object seems to have been the reestablishment of the Knights in exclusive possession of judicial authority.<sup>1</sup> Meanwhile, the support of Marius was either gradually or suddenly withdrawn from his confederates, against whom, for reasons now unfathomable, he was presently in open opposition. In the most uncharitable view of his character, it may be surmised that he was disappointed at the ill-success of the first schemes in which he had engaged with his some-time associates, and angered, perhaps, at the little concern they shewed to devote themselves entirely to his service. It would be gentler, perhaps juster, to believe that the preserver of his country in time of war was for the moment convinced of the wickedness of sedition in time of peace.

At the approach of the next elections, Saturninus, yet young, impassioned, and resolved, again presented himself as a candidate before the Tribes, with a youth, professing to be the son of Tiberius Gracchus,

<sup>1</sup> Cic., *Pro Balbo.*, 23, 24; In *Verr.*, act. II. 1, 9. Servilius Glaucia is supposed to have repealed the law of Servilius Cæpio restoring the judicial authority to the Senate; yet it appears impossible to draw any exact inference from the only reliable passage to be adduced, viz., that in Cic., *Brut.*, 62, which is just as sus-

ceptible of being applied to the laws against bribery, &c., merely, as to any judicial reforms. There is no doubt, however, but that the law of Cæpio, if it really ordered the selection of judges to be made from the Senate, was very soon afterwards repealed. See note 1, p. 290, and note 3, p. 314.



whose association bade fair to make up for the withdrawal of Marius's support. Two years previously, in Saturninus's first tribunate, the attempt had been made to pass off the same person, who, as all men knew, or might have known, was one Equitius, a runaway slave,<sup>1</sup> for one of the Gracchi. Though then denied by Sempronia, the still surviving sister of Caius and Tiberius,<sup>2</sup> as well as by the Censors,<sup>3</sup> on whose acknowledgment his registry as a citizen depended, the impostor had shewn sufficient spirit to deceive the populace, readier themselves than could have been imagined to be deceived ; and he was now brought out to serve the purposes of the Tribune, equally wary and audacious in his designs. On the reappearance of the pretender in the train of Saturninus and as a candidate for the tribuneship, he was ordered by Marius to prison ; but the mob broke into the place of his confinement, and, after bearing him away triumphant,<sup>4</sup> elected both him and Saturninus to be their Tribunes. Meanwhile, the other leader in the recent and present seditions, Servilius Glaucia, was aiming higher, at the consulship, and on being opposed at the election, in the Centuries, notwithstanding the triumph of his confederates in the Tribes, he caused his more favoured competitor, Caius Memmius, to be slain in open day.<sup>5</sup>

But the party which had been strong enough to

<sup>1</sup> "Ex compedibus atque ergastulo." Cic., Pro C. Rabir., 7.

<sup>2</sup> De Vir. Ill., LXXIII.

<sup>3</sup> Or Metellus Numidicus alone.

He was stoned for his refusal. Val. Max., ix. 7. 2.

<sup>4</sup> Val. Max., ix. 7. 1.

<sup>5</sup> App., Bell. Civ., i. 32. Liv.,

Epit., LXIX.



elect Memmius, one of the most honest citizens yet left in Rome, was resolute enough to avenge his murder and to stay the havoc thus cried and repeatedly wrought with impunity. Marius, still Consul, put himself at the head of the universal movement, and received from the Senate unfettered authority to protect the Commonwealth.<sup>1</sup> A terrible fray in the Forum ensued; but Saturninus, overpowered, though he had called slaves to his aid,<sup>2</sup> soon fled up to the Capitol, with Equitius, Glaucia, and his most daring followers. Resistance there was equally vain; and when, at Marius's command, the pipes which carried water to the hill were cut off, the whole party surrendered themselves, save Glaucia, who, in endeavouring to escape alone, was killed. Saturninus and the rest were carried to the Senate-house, where they were first confined, but presently slain by tiles and weapons hurled down upon them through the roof, broken in by their infuriated pursuers.<sup>3</sup> The slave accredited to have been the murderer of Saturninus was rewarded with his freedom.<sup>4</sup>

In such seditions and in such triumphs over them, the liberty of Rome was sure to perish. As for Marius, personally, there were too many rumours of his hesitation and duplicity to leave him much, if any, credit for the part he took in the overthrow of those with whom he had been closely allied, and in whose

<sup>1</sup> "Ex Senatus consulto." De Vir. Ill., LXVII. LXXIII. See Cic., Pro Rab., 7—11.

<sup>2</sup> Val. Max., VIII. 6. 2.

<sup>3</sup> Flor., III. 16. App., Bell. Civ., I. 32. Liv., Epit., LXIX.

<sup>4</sup> Cic., Pro Rab., 11.



downfall, as many declared,<sup>1</sup> he deserved to have been involved. Henceforth, at all events, his character or his position changes ; and as he grows older, the virtues, comparatively speaking, of his life will be found transformed to the madness and the crime through which the strange spectacle of the later Commonwealth is doomed to end in sceptred tragedy. Metellus Numidicus was recalled from exile in the year after the overthrow of Saturninus ;<sup>2</sup> and when Marius, who went away for a time into Asia Minor, returned to Rome and built a palace by the Forum, he found himself, within doors and without, everywhere face to face with Lucius Cornelius Sulla.

<sup>1</sup> Plut., Mar., 30. App., Bell.

Civ., i. 32. Cf. Val. Max., viii. 6.

2. Vell. Pat., ii. 12.

<sup>2</sup> Plut., Mar., 31. App., Bell.

Civ., i. 33.



## CHAPTER III.

## THE ITALIAN WAR FOR LIBERTY.

“ The causes of dissension.....were infinite and unavoidable..... Rapine, outrage, murder, exactions, became universal. Commerce was interrupted ; industry suspended ; and every part of Germany resembled a country which an enemy had plundered and left desolate. The variety of expedients employed with a view to restore order and tranquillity prove that the grievances occasioned by this state of anarchy had grown intolerable.”—ROBERTSON, *Charles V.*, *View*, &c. sect. III.

AMONG the adherents of Saturninus the Tribune, there were many attached less by their confidence in him or in his schemes than by their utter want of occupations, interests, and proper guides. Some of these were Romans ; but the larger number were composed of throngs, yearly and almost daily driven by wretchedness from their habitations throughout Italy to seek relief in largesses, riots, affrays, or any thing in the metropolis which could excite or support their lives. Such as these, however, were the poorest and the lowest of the Italians, with whom, in general, the subject of complaint was of more difficult alleviation. Their claim, to which the Gracchi first gave heed, was to be admitted, not amongst the seditious, but amongst the powerful at Rome ; and though they might have regarded Saturninus with some complacency, on account of their aversion to the dominant aristocracy as the party most hostile to themselves,



the greater number were waiting for a better time or for a more valiant leader to procure a share of the authority and the corruption which they coveted.

Yet in entering upon the period of which the interest is almost entirely concentrated in the demands, the struggles, and the acquisitions of the Italians, the sketch formerly presented of their condition is to be recalled in its lighter, as well as its heavier, outlines. For, had they not, in every respect, as must be remembered, been treated with comparative lenity and confidence on the part of their victors, neither would these have become the conquerors of more distant people, nor would they themselves, after foreign conquests and repulses of barbarian invasions, have been possessed of the spirit which they shewed in turning upon their masters and demanding equal rights and equal spoils. The condition of some subject and allied people will make that of the Italians clearer, by the contrast in fortune and in hope which it affords.

When Marius was preparing his army against the Cimbri,<sup>1</sup> with authority from the Senate to levy troops in all directions, he sent to King Nicomedes of Bithynia, then in the alliance, as it was called, of Rome, to seek the auxiliaries he required. But instead of a showy troop with arms and banners, the king sent back a simple message, that the greater part of his Bithynians had been already dragged away by the Roman publicans to serve them in their provinces as slaves. The Senate, to whom this answer was returned, gave the wider vent to their indignation, be-

<sup>1</sup> A. C. 104.



cause the Publicans were of the order of the Knights, their nearest and most perilous adversaries; and the edict was rapidly put forth, that no freeman of an allied state should thereafter be reduced to slavery, and that the governors of the various provinces should at once set all such as could be found in servitude within their jurisdiction at liberty.<sup>1</sup>

Licinius Nerva was then the Prætor of Sicily. On receiving the edict, he began so zealously to put it into execution, that a few days witnessed the liberation of above eight hundred slaves. But here the good work—too good, indeed, for the Senate of Rome to have been aware of ordering, or for a magistrate of Rome, awares or unawares, to execute—ceased. The rich proprietors, principally, of course, Romans, throughout the island, were alarmed; not merely because the emancipation of the slaves, kidnapped from free or allied countries, would prove a serious loss, but especially on account of their other slaves, born or captured into servitude, who might again be excited by the prospect of liberty, to renew the horrors of a servile war by which Sicily had been long tormented some thirty years before. Nerva, easily persuaded or bribed, desisted from the undertaking to which he had been commanded; and instead of liberating the slaves who thronged about his tribunal, he ordered them back with contumely to their chains.<sup>2</sup>

Sicily, whose native people had wellnigh become extinct, was at this time a mere territory of planta-

<sup>1</sup> Diod. Sic., Reliq., xxxvi. 3.

<sup>2</sup> Ibid., 3—10.



tions, cultivated by slaves under the eyes and the cruel blows of superintending speculators, their actual proprietors being either collected in the few remaining cities of the island, or else still more remotely domiciled at Rome. The vengeance of the unhappy beings, freemen and allies by birth, as must be recollected, whom the unfaithfulness of their Prætor to the act of the Senate maddened beyond all control, was awful and prolonged. Houses ran with blood; fields parched with flame and desolation; while the fury of the slaves rose higher at every murder of a master, and higher still at every defeat of the armies sent against them. Nor was it until they had held out under various leaders for full five years,<sup>1</sup> that Manius Aquillius, one of Marius's numerous colleagues, and then Proconsul, succeeded in crushing their last forces and in transporting the survivors to Rome, where they were set to slay one another in the public amphitheatre.<sup>2</sup> The misery of Sicily was none the less, but the entertainment of the Roman people was something greater, for this immolation.

Italy was not yet the same scene of woe or devastation as Sicily and Bithynia; though forty years had passed since Tiberius Gracchus was first struck by the paucity of its free inhabitants, and twenty-five since his brother Caius had promised citizenship and restoration to those who still remained. At a certain stage of decline, a single day, as it were, or genera-

<sup>1</sup> A. C. 104—99.

<sup>2</sup> Diod. Sic., Reliq., xxxvi. 3—11.



tion, may bear away more regularity and vigour from a people than has been lost in the course of years, or even centuries, preceding; and the disorders of one kind or another prevailing amongst the Italians had so rapidly spread, it seems, as to leave them bereft of comfort and contentment, if not of hope.

The institutions, colonial or municipal, Latin or allied, of a former period, were no longer tolerable to men who forgot that their fathers had been conquered, and remembered only that they themselves had enlisted in the same armies and borne the same toils as their superior countrymen at Rome. Nearly as wealthy, besides, and full as cultivated, in general, as those who lived upon the seven hills, they were kept under restraint as though they had been menials to whom the service of the Commonwealth was a sufficient piece of good fortune, without their presuming to seat themselves at its boards or lay their heads upon its pillows. On the other hand, the privileges of their humbler homes were never secure against the citizens who, starting in multitudes from Rome, spread wide their settlements upon the Italian soil, and sometimes lived within call of an Italian family or an Italian state beneath another government and almost beneath another sun. Such an inferiority was sure to be felt, and in the end to be rejected, by the Italians, however great their own superiority might be to any other nation under the same overarching dominion.

Imagine the return of one of the Italian officers from the campaigns of Marius against the barbarians,



dizzy with the praises of his general, proud in the consciousness of his so-called heroism, and elated by the acclamations of the people. Follow him home to the stately house an officer of rank would naturally own, in the midst of a town or upon his own broad fields,—in either case, however, the dwelling of a rich man surrounded by retainers, but scarcely by neighbours of his own position, in any number. Even supposing him so wealthy, and adding to his fortune the resources of intellect and valour, there was nothing within his reach to take the place of the authority he had exercised or the admiration he had gained in the army. He sank at once to the situation of a dependant; he was, again, the son of the vanquished; and his laurels withered beneath the blight, apparently eternal, of his father's overthrow. Yet, notwithstanding discomfiture and shame, the heart of such a man was warmer towards the living energies or emoluments of Rome than towards the ghostly memories of the nation from which he was descended; and small appears the condescension on the part of his countrymen that would have satisfied his claims. So others lived obscure and fretful, though the fame they acquired in war, and the riches they enjoyed at home, might have been less vividly contrasted with the political subordination to which they were doomed. The poor Italian, whose life itself would have ebbed away, had he waited for food or employment by the stagnant pool which covered, as it were, the fields and houses of his forgotten ancestors, longed rather for the relief imparted to the needy citizen, and wished



his place in the Tribes only because it would secure him his share in the public bounties and his corner at the public games. The great desire of the whole race, alike the rich and the poor, the peasant and the noble, was to be made equal with the people whose citizenship appeared, in one or another light, to be the most inestimable blessing of the earth.<sup>1</sup>

These details will not appear misplaced to the reader who reflects that the extension of citizenship to the Italians was equivalent to the transformation of the city, or, to use its own name, the Commonwealth, to the nation, truly speaking, of Rome. The success of this great achievement, mortally judged, would have delayed the fall of heathen liberty, perhaps for centuries; but it was waylaid by doubts and difficulties from the very moment of its beginning. Had the contest which we are now approaching occurred some ten or fifteen years earlier, when the barbarian invaders were hurrying from the North, and the sword of every Italian, as well as of every Roman, was needed to repel the annihilation of their common independence, there would appear at first sight to have been little uncertainty about its issue. Now, on the contrary, there was scarce an enemy abroad, or even a nation still unfettered, with whom alliance, in its usual interpretation, was desirable;<sup>2</sup> and as in

<sup>1</sup> Τούτου γὰρ δὴ μάλιστα ἐπεθύμουν, ὥς ἐνὶ τῷδε αὐτίκα ἡγεμόνες ἀντὶ ὑπηκόων ἐσόμενοι, "For this it was that they especially desired, to become through citizenship the rulers, instead of remaining the

subjects, of the Commonwealth." App., Bell. Civ., i. 35.

<sup>2</sup> A war in Spain of very little consequence (A. C. 97—93), the acquisition of Cyrene by the testament of its king (96), and the in-



the days of the Gracchi, when all the excitement of the times was that within the neighbourhood of Rome, the leaves on the edge of the forest were unstirred by the tempestuous whirlwind which swept amongst the central trees. It may have seemed that its fury would break with fatal violence only upon those which stood with roots the least extended and with branches the least supported by the growth of bygone years. But there was another question, not then debated, but easily decided now,—whether there would be roots, branches, or trunks of any sort to form a forest when the hurricane was over.

Licinius Crassus, one of the most gifted, and Mucius Scaevola, one of the best principled, citizens of Rome, being colleagues in the consulship for the fifth year after the death of Saturninus,<sup>1</sup> together put forward a law against the hopes of the Italians. Some earlier edicts, like those in vain resisted by Caius Gracchus,<sup>2</sup> had banished strangers, Italians, and even Latins, from Rome; but the new law of the Consuls was of deeper search, requiring from all of other than Roman birth some proofs of citizenship, in default of which the rights of such, though in many cases, doubtless, inherited, were to be taken away.<sup>3</sup> If expulsion from the city were not formally enforced, it was the

trigues in Asia concerning Mithridates (92), are all the foreign history of the time.

<sup>1</sup> A. C. 95.

<sup>2</sup> See the first chapter of this book, pp. 244, 260.

<sup>3</sup> The law, described in Cic., *De Off.*, III. 11, is more tersely designated as “*acerrima de civitate quaestio*,” in the oration *Pro Balbo*, 21. See, also, the fragment in *Pro C. Corn.*, I., with Asconius’s commentary.



necessary consequence of the degradation to which the victims of the law were brought in the eyes of their neighbours and connections ; and more than one, we may be sure, who had lived sumptuously and, according to the common standard, honestly as a Roman, went forth in shame and passion as an Italian. Ties of years were snapt in twain ; long kindliness or familiarity was forgotten ; and in some instances the husband departed without his Roman wife, or the father without his son, more fortunate to have been born in Rome. The fugitives went to add their heart-burnings to the uneasiness of their former countrymen ; and the law by which they had been outraged, “ pernicious,” as Cicero afterwards wrote, “ to the Commonwealth,”<sup>1</sup> increased the numbers, and in a much greater proportion the grievances of the dissatisfied Italians.

Months and even years elapsed ; but the Italians were still content to complain of their afflictions, sometimes trusting in the promises of a Roman to befriend them, yet always disappointed and incessantly murmuring of wrongs and of redress. At this juncture, when the ill will on their side, and the defiance on that of their superiors at Rome would have perplexed the serenest wisdom ever given to a heathen, Marcus Livius Drusus, the son of the colleague and opponent of Caius Gracchus, entered upon the tribuneship.<sup>2</sup> Nine years before, he had

<sup>1</sup> “ Legem.....video constare inter omnes non modo inutilem sed perniciosam reipublicæ fuisse.”

Pro C. Corn., i. See Pro Sext. 13.

<sup>2</sup> A.C. 91.



taken part against Saturninus; but the charms of his wealth, and, it may be added without uncharitableness, of his self-conceit, kept him aloof from the Forum and the factions of which it was the arena. He was known, however, from his youth, to be ambitious, and though he seemed too vain to be really wise, he had exhibited a firmness and an uprightness<sup>1</sup> which attracted confidence, though they might not win affection. If Drusus belonged to any party, it must have been to that of the Senate, whose cause his father, as will be remembered, had singularly upheld;<sup>2</sup> but the son, instead of putting forward the name of that or any other faction, acted in his own, and was elected to office without further security in relation to his designs than was afforded by his character and his position amongst the aristocracy. Something, nevertheless, had been whispered of his partiality towards the demands of the Italians, and to their great delight, apparently, he was declared Tribune, while the Senate, for the reasons already mentioned, seem to have been equally confident that he would prove their champion.<sup>3</sup>

The Tribune himself appears to have been persuaded of his sufficiency to allay every evil in the Commonwealth. He began by throwing open his doors, and displaying the hospitality and the luxury he had previously restricted to himself and his own

<sup>1</sup> "Vir sanctissimus," says Velleius Paterculus, II. 13. On the other hand, see De Vir. Ill., LXVI.

<sup>2</sup> See chapter I. pp. 259, 260.

<sup>3</sup> "Non tribunatus modo viribus, sed ipsius etiam senatus auctoritate, totiusque Italiæ consensu." Flor., III. 17.



household. In public, he was continually appearing before the people with new bills, some framed after former laws, but all adapted to his present purpose of gratifying the different classes and bringing about the happy change of which the first principle was the recognition of his superiority to every other citizen. To the Italians he first promised his intervention in behalf of their long-deferred pretensions;<sup>1</sup> and for them, as for the populace of Rome, he proposed the distribution of lands and grain, together with the establishment of colonies in Italy and Sicily.<sup>2</sup> Then, turning to the Senators and the Knights, still quarrelling for the judicial tribunals, on which hung the possession of vast authority and wide corruption, the Tribune waved his wand, and bade them mark how he would transform three hundred Knights into so many Senators, and then from the united body call forth the judges of the Commonwealth.<sup>3</sup> "I have left nothing," he exclaimed, as if apostrophising himself, "nothing but the dust of the earth or the sky overhead to be given away!"<sup>4</sup> But it was more than this indiscriminate liberality, much more than this extravagant presumption, of Drusus could achieve, to bring harmony into the midst of his dis-

<sup>1</sup> Liv., Epit., LXXI.

<sup>2</sup> Ibid. App., Bell. Civ., I. 35. Another law, perhaps to please the people, concerned the adulteration of the silver currency. Plin., Nat. Hist., XXXIII. 13.

<sup>3</sup> All this is uncertain. See note I., p. 300. Drusus seems to have intended only to fill up the Se-

nate for the nonce from the Knights, and to leave the judicial powers entirely with the Senators. See App., Bell. Civ., I, 35; Cic., Pro Rab. Post., 7; Liv., Epit. LXX. The law, at all events, passed. Liv., Epit., LXXI.

<sup>4</sup> Flor., III. 17. De Vir. Ill., LXVI.



cordant countrymen. He exchanged his smiles for frowns, ordering the Consul, Marcius Philippus, into custody,<sup>1</sup> and threatening to hurl his own brother-in-law from the Tarpeian rock ;<sup>2</sup> but though his laws were mostly carried, by the aid of the Senate,<sup>3</sup> who liked the recovery of their judicial authority, he did not seem to succeed so majestically as he desired. Offended by the Senate themselves, at last, or perhaps in the same absurdity of self-importance by which he had shaped his course from its outset, he returned word, on being summoned to consult with them, that the Senate must come to him,<sup>4</sup> if they desired his opinion.

It was this ineffable arrogance that proved his ruin. An act of the Senate repealed his laws at one swoop,<sup>5</sup> without the regret of a single party, populace, Knights, or Senators, for their untimely end. There was little in them to make the Italians lament their repeal ; yet it was from these or from their leaders, that Drusus received the only expressions of gratitude and of fidelity. He, still undisturbed, informed the Senate that he could have hindered their act, had he so desired, but that its consequences were far more injurious to them than to him ;<sup>6</sup> and having made

<sup>1</sup> The story of the Consul's altercation with the Senate and the Tribune's attack upon the Consul may be read together in Cic. De Orat., III. 1, 2 ; Flor., III. 17.

<sup>2</sup> De Vir. Ill., LXVI.

<sup>3</sup> Liv. Epit., LXX., LXXI. Tacit.,

Ann., III. 27. Cic., De Orat., I. 7. And note 1 *supra*.

<sup>4</sup> Val. Max., IX. 5. 2.

<sup>5</sup> "Uno versiculo." Cic., De Legg., II. 6. Ibid., 12, and Pro C. Corn., I.

<sup>6</sup> Diod. Sic., Reliq., XXXVII. 10.



this show of confidence before them, he turned, with all the vehemence of wounded pride, to the Italians,<sup>1</sup> resolved to make their claims the instruments of his own rehabilitation. Already, perhaps in concert with him, there seems to have been formed or planned a league amongst the eminent Italians, if not amongst the people at large ; and of this, on his disgrace, he was chosen the patron or the chief. The oath of fidelity to him was then, apparently, taken by all the principal confederates : “ I swear,” such being its terms, “ to have the same friends and the same foes with Drusus, and to spare neither my own life nor that of children or parents in his service and for the good of my associates. And if I become a citizen by the law of Drusus, I swear to hold to Rome as my country and to Drusus as my greatest benefactor. And I will communicate the oath I have here taken to as many of my companions as I can.”<sup>2</sup> The oath was followed up by energetic action. Secret meetings were convened by night ; armed crowds were assembled by day ; and though the plans of the association were kept concealed amongst its leaders, every follower they had was trustful and determined. Some looked for honour, more for triumph, however used, but most, perhaps, for the mere wantonness of insurrection, however ended.

On the other hand, the Romans, especially the aristocracy, had taken alarm at the reports brought in on all sides, and confirmed by the increasing throngs

<sup>1</sup> Vell. Pat., II. 14.

<sup>2</sup> Diod. Sic., Reliq., xxxvii.



of strangers in the streets, by whom, says one of the historians, the city seemed to be besieged.<sup>1</sup> But it was with no want of zeal or hopefulness amongst any class that the necessary precautions against conspiracy or open rebellion were adopted; and when Drusus appeared before the Tribes, perhaps with the intent of urging the admission of the Italians, he was received with such an outcry of indignation that he lost his courage and fainted dead away. After a short retirement, caused, as some said, by fear, rather, as is probable, by actual illness in consequence of overexcitement, he came forth again, weary of his enterprise,<sup>2</sup> but surrounded by his Italians,<sup>3</sup> and determined to carry their enfranchisement by force, if it could not be obtained in peace. The accounts of his end vary; but it would appear, that, while he hindered his adherents from committing any bloodshed,<sup>4</sup> he was himself the victim of assassins amongst his foes. He fell, stabbed at his own door or in his own hall, and, murmuring that the Commonwealth could not hope for another citizen like him, he died before his mother's eyes. None grieved for his death or thought it undeserved,<sup>5</sup> save she, who bore her loss "with magnanimity,"<sup>6</sup> and his Italian followers, who swore they would have revenge.

Drusus was scarcely cold when one of the succeed-

<sup>1</sup> Flor., III. 17.

<sup>2</sup> See the story told by Seneca, De Brev. Vit., 6.

<sup>3</sup> Vell. Pat., II. 14.

<sup>4</sup> De Vir. Ill., LXVI. App., Bell. Civ., I. 36.

<sup>5</sup> "Matura ut in tali discrimine mors abstulit." Flor., III. 17.

<sup>6</sup> Senec., Ad Marc. Consol., 16.



ing Tribunes, named Quintus Varius,<sup>1</sup> came forward with a bill directed against all citizens who had secretly or openly favoured the hopes of the Italians in the late commotions.<sup>2</sup> The design of the bill and of the party to which it gave voice was not so much to dishearten the Italians as to aggrieve the citizens, in other words, the Senators, who had sided with Livius Drusus through the first movements of his tribunate. It was in behalf of these Senators that Varius's colleagues interposed against his project, and, on the other hand, to their hurt, that a body of Knights, with drawn swords, obliged the Tribunes to yield, and easily forced the bill through the assembly. Several of the most eminent Senators were straightway summoned to take their trial; but some of them preferred a voluntary exile to the almost certain hazard of appearing before judges picked from their enemies, the Knights, with whom, in consequence of the repeal of Drusus's law,<sup>3</sup> all judicial authority remained. If, in the midst of so desperate contentions amongst the aristocracy at Rome there was any real consideration for or against the Italians, on whose account the Senators were nominally assailed, it may have been argued, and with great success amongst the Knights and the lower classes on the same side, that a few further examples were needed to deepen the chill

<sup>1</sup> Further named Hybrida, being born of a Spanish mother. "Vastus homo atque foedus," says Cicero of him, *De Orat.*, i. 25.

<sup>2</sup> App., *Bell. Civ.*, i. 37; with which compare *Val. Max.*, viii. 6. 4.

<sup>3</sup> See notes 3, p. 314, 5, p. 315, and text.



which the death of Drusus had cast upon the cause of the strangers.

Among the most gallant of those who confided their wrongs and their demands to the murdered Tribune, none was more forward in zeal or in ability than Pompædus Silo, by birth a Marsian. Admitted to the closest familiarity by Drusus, and received as an inmate of his household, he one day came in with some friends where the two nephews of his host, boys of four to six years old, were sitting or playing together alone. Instead of joining in their game or entering into their prattle with one another, the Marsian, fresh, perhaps, from some conference with his leader, in which his ardour had very likely been rebuffed, appealed to the boys, more solemnly than sportively :—"Say, now, that ye will entreat your uncle to have us made free citizens !" The eldest smiled and nodded assent. But the youngest kept his peace, even when asked again ; and though Pompædus took him up as if to throw him from the window, the child would make no promise of the assistance which the Italian pretended to desire. Pompædus set him down, remarking to the friends who had accompanied him and beheld the scene, how well it was for them that the little hero was still so young.<sup>1</sup> This boy, stern and fearless beyond his years, was Porcius Cato. His behaviour is a strong instance of the feelings excited against the Italians,

<sup>1</sup> Val. Max., III. 1. 2. The whole story is told by Plutarch in his life of Cato, 2.



even in the family of their leader, and much more, of course, in the city of their arrogant rulers.

But the arrogance and the dominion from which they had long suffered were choked in the blood of Drusus, whose murder was no sooner known throughout Italy than the league of which he had been the chief was urged upon every race and every city of the Italians.<sup>1</sup> In spite of their divisions inherited from the ancient nations to which they had separately belonged, and in spite of the factions into which each different community was subdivided, there seemed to be a reasonable hope of general union. Even the Latins, or, as the historian may have rather intended, the whole Latin Name,<sup>2</sup> more privileged on many accounts than the majority of their confederates, took hold of the league, as it extended itself north and south, until scarce a town of the lowlands or a hamlet upon the mountains but was embraced within its bonds. The Marsians, — their neighbours, the Pelignians, Frentanians, Marrucinians, and Vestinians, — north of them, the Picentians, — southwards, the Samnites, most eager of all to avenge the calamities of their forefathers, — farther on, the Apulians and Lucanians, — all these and more<sup>3</sup> united in the hope of justice or the passion for depredation. Yet, in sad distrust of their various motives and their common fidelity, the confederate states were bound from

<sup>1</sup> App., Bell. Civ., i. 38

<sup>3</sup> Liv., Epit., LXXII. App., Bell.

<sup>2</sup> "Omne Latium." Flor., III. Civ., i. 39.

18. But this is evidently an exaggeration.



the beginning to furnish hostages, one to another, that they would be stanch in upholding the cause they were quick to join. It was some information concerning a youth surrendered by the town of Asculum to one of its allies that alarmed the officer<sup>1</sup> stationed in the district, and brought him, hasty and insolent, to Asculum, where he and all the Romans in the town were put to death with horrid fury. The news was transmitted to Rome, where the quarrels and the seditions of the various parties amongst the citizens had for some time drowned the rumours of insurrection amongst their allies. Had the earth swallowed the seven hills, or the Tiber swept the city down its swollen stream, the surprise would hardly have been more terrible. On the other hand, the league, with one bound, was up in arms. The massacre at Asculum,<sup>2</sup> reported with frenzy throughout the land, was the signal to all Italy that the time was come when the blood-stains upon her children should be washed out in fresh torrents from Roman veins, and, if need were, from their own. It was a fearful way of seeking liberty.

A town in the mountain country of the Pelignians was selected for the capital of the league, and called by a new name, Italica.<sup>3</sup> The strength of its position and its fortifications was enhanced by its central

<sup>1</sup> The Proconsul, according to App., Bell. Civ., i. 38.

Vell. Pat., ii. 15. So App., Bell. Civ., i. 39.

<sup>2</sup> "Malum ab Asculanis ortum."

<sup>3</sup> Strabo, v. 4, 2. It was previously and afterwards called Corfinium.



situation, open on all sides to the contributions, and on all sides protected by the forces of the confederates. It was not difficult to raise or equip an army. No hut was so poor as to be without its weapon; and the richer men, whose interests were most at stake, had undoubtedly begun to collect a stock of arms some years or months before; while neither they nor their retainers would now be backward to join the companies mustering in the name of Italy. The more hazardous operation was to form some common government; but this, too, was rapidly achieved under the first impulses to unanimity and carefulness. A Senate of five hundred members from the various states met at Italica to preside over the administration of general affairs, leaving each district or town, as is probable, in full control of its separate concerns.<sup>1</sup> Out of this body, apparently, or by its votes, two Consuls or Prætors were chosen, together with twelve Lieutenants or Sub-Prætors, to conduct the forces. The whole country of the allied people was marked out in two military divisions, the direction of which was intrusted separately to the Prætors.<sup>2</sup> Pompædus Silo and Papius Mutilus, a Samnite, being elected to the chief authority, assumed the command of their respective divisions without delay, and urged the necessary preparations with so much vigour, that one hundred thousand troops were soon collected, besides the garrisons in charge

<sup>1</sup> See the spirited "Essai" of Prosper Mérimée "sur la Guerre Sociale," tom. i. p. 139.

<sup>2</sup> Diod. [Sic., Reliq., xxxvii. 2.



of the different cities.<sup>1</sup> A Senate-house and other public buildings were as speedily erected about a Forum at Italica;<sup>2</sup> and the league was no longer a conspiracy, but a national war.<sup>3</sup>

Meanwhile, the Senators, the Knights, and the populace of Rome were recovering from their first alarm, and uniting themselves against their daring allies. The charge of the impending campaigns was necessarily given to the newly-elected Consuls, Lucius Julius Cæsar and Rutilius Lupus; but as neither the one nor the other was any match for the fiery foes they would encounter, their lieutenants were chosen with peculiar care from amongst the ablest and the most zealous citizens. Marius, now sixty-seven years of age, and Pompeius Strabo served with others under Rutilius Lupus; and Sulla, of whose character and enmity to Marius we shall soon hear but too much, was amongst the number attached to Julius Cæsar.<sup>4</sup> The entire people, however, turned out to bear every man his part;<sup>5</sup> and in addition to their own numbers, the faithful Italians,<sup>6</sup> who could be spared from defending their various towns, were impressed into service, all deficiencies in forces or supplies being quickly repaired by exactions from the provinces. The great advantage of the Romans lay in their confidence and pride; not, indeed, because these are solid defences in themselves, but because

<sup>1</sup> App., Bell. Civ., i. 39.

<sup>2</sup> Diod. Sic., Reliq., xxxvii. 2.

<sup>3</sup> A. C. 90.

<sup>4</sup> App., Bell. Civ., i. 40.

<sup>5</sup> "Saga populus sumpsit." Liv., Epit., lxxii.

<sup>6</sup> Ibid.



there was neither room for doubts nor need of hostages on their part; the arms they bore being the same that had conquered the world, and the Forum whence they marched being that of their fathers, freemen and conquerors. An embassy from Italica to propose the complaints and the resolutions of the league was not even heard. "If the allies repent of their deeds," was the answer of the Senate to the application for an audience, "they may send us ambassadors: otherwise not."<sup>1</sup> The people would have made the same reply, had the embassy addressed itself to the Tribes, or even to the mob alone; for wrath now fortified the old opinion, that their city was the nation, and that the Italians were not its members, but its lawful prey.

The arms which had been carried side by side against the stranger and the barbarian beyond the sea were now turned against one another, almost in sight of Rome. The war was called the Social, or that of the Allies; and if the name alone fail to unfold its horrors,<sup>2</sup> then the simple thought of the close connections long existing in public service and in private life between the disdainful citizens and the outraged people must explain how their rupture led straight to hatred the most bitter, and to bloodthirstiness the most insane. To relate in full the frightful crimes and sufferings on either side would be like covering these pages with handfuls of mire and gore;

<sup>1</sup> App., Bell. Civ., i. 39.

<sup>2</sup> "Sociale bellum vocetur licet," says Florus (III. 18), "ut

extenuemus invidiam: si verum tamen volumus, illud civile bellum fuit."



yet as the struggle of the Italians to gain their independence, and that of the Romans to refuse it them, is a very principal feature in the aspect of liberty at Rome, the cruelty and the heartlessness of the conflict cannot be concealed.

One narrative of dreary terror is to be briefly told. As the first year of the contest was closing, a powerful division of Italian troops, commanded by Vettius Scato, one of their most noted generals, marched northwards to gather some reinforcements in Etruria.<sup>1</sup> Disappointed, however, in their expectations, in consequence of the adhesion of the Etruscans to the cause of Rome, the allies turned into Picenum, where their forces were, at that time, most numerous. Across their line of march there lay a Roman army of seventy thousand men, under the command of Pompeius Strabo, then at the beginning of his consulship; but the Italians were nearly as strong in numbers,<sup>2</sup> and the eagerness of Vettius Scato to engage in battle, whetted by the endeavours of Pompeius to make some truce or terms of peace, was shared by every soldier of his army. Notwithstanding, their spirit failed them in the midst of slaughter; and when their best men were stretched upon the field, the rest fled, disheartened and disordered, amongst the mountains.<sup>3</sup> It was midwinter, when snow, and cold, and want of food would harass the pursuers as well as the pursued; but the Roman

<sup>1</sup> App., Bell. Civ., 150.

<sup>3</sup> Oros., v. 18. App., Bell. Civ.,

<sup>2</sup> "Amplius LX. Italicorum." I. 50.  
Vell. Pat., II. 21.



legions pressed forward, and at length overtook a large body of their wretched foes, motionless, as though determined to escape their miseries by breaking through the lines of the enemy, or else by surrendering themselves in the extremity of despair. Some were seen, as the Romans advanced, to be lying on the ground, but others stood firm, leaning upon their arms;<sup>1</sup> yet, as the pursuing party came up, none stirred to keep them off or to beg for mercy, for they were dead, all frozen stiff, as they had fled homeward. Vettius Scato, their leader, taken prisoner either in combat or in flight, was dragged by his captor before the Roman general. But a slave who had hurried with him drew out the soldier's sword, either at Scato's bidding or by his own impulse, and having stabbed his lord dead, slew himself, exulting that he had set his master free.<sup>2</sup>

Ferocious, indeed, was the war, in which a chief would like better to perish by the blow of his slave, and a whole troop prefer death amongst the mountain-snows, than to fall into the hands of their enemies. Nor is it for a moment to be imagined that the cruelty of the strife was on the part of the Romans alone. The Italians were equally dreadful to their foes;<sup>3</sup> and their thirst for freedom led them

<sup>1</sup> "In modum viventium." Oros., v. 18.

<sup>2</sup> Senec., De Benef., III. 23. "Da mihi quemquam," exclaims the philosopher, "qui magnificentius dominum servarit!"

<sup>3</sup> See the short fragment of Dion Cassius (CXIII.), in which a world of misery is described, or the account of the death of the Roman officers by order of Papius Mutilus. App., Bell. Civ., I. 42.



with hoarse outcry and reeking weapons to the waters by which the Romans sat, armed and infuriated, as if to drain the draught themselves.

The Roman Consuls, confident in themselves, but with little judgment concerning the valour of the allies, took the field, at first only to be defeated. Rutilius Lupus was routed and slain by the forces under Vettius Scato ; and had it not been for Marius, who succeeded to the command, the broken army would have been entirely destroyed. Julius Cæsar, the other Consul, was several times worsted ; but by persevering spirit and the constancy of his troops he gained at last a victory,<sup>1</sup> which, together with one obtained by Marius over the Marsians,<sup>2</sup> and another achieved by Porcius Cato, the Censor's grandson, over the Etruscans,<sup>3</sup> or a small part of that nation which had taken arms, composed the Roman triumphs for the year. On the other hand, there was a large list of losses and deficiencies, in respect, not merely to the armies, but to the general exigencies of the Commonwealth, and the year was ending dark and threatening.<sup>4</sup> The allies were in better spirits ; yet their advantages, though more numerous, were counterbalanced by the want of many resources, and of those concerted energies without which they would never attain the freedom they desired, however glittering might be their trophies.

<sup>1</sup> Liv., Epit., LXXIII.

<sup>2</sup> Of whose defeat, however, the praise was given to Sulla, because he ended the action which Marius

began. App., Bell. Civ., i. 43 *et seq.* Liv., Epit., LXXIII.

<sup>3</sup> Oros., v. 18. Flor., III. 18.

<sup>4</sup> Liv., Epit., LXXIII. LXXIV. Oros., v. 18. Flor., III. 18.



While these uncertainties were thickening on either side, the surviving Consul, Julius Cæsar, returned to Rome, instructed in the difficulties of the contest, and resolved to expound and to meet them before his countrymen. It would be hard, he may have said, to conquer the Italians at all ; but it would be impossible even to resist them, if the allies hitherto faithful should on any account join their countrymen in rebellion. This did not need expatiation ; and when the Consul proposed, with the consent of the Senate, that citizenship, entire and complete, should be given to Latins, Etruscans, Campanians, and whatsoever other states or towns there were that still stood firm to Rome,<sup>1</sup> the law providing and declaring the grant was passed without the slightest apparent controversy. Some of the allies to whom the offer of citizenship was thus wisely made declined it altogether, but with gratitude ;<sup>2</sup> while others, and the greater part, accepted it with joyful earnestness, and repaid it with more steadfast attachment. The effect of the Julian law, as it was called, after its author, was not confined to the faithful, but extended even to the hostile Italians,—not, indeed, with such force as to disarm them, but with such whispers of citizenship to themselves as to make many hope for reconciliation.

The war still continued ; but the second year<sup>3</sup> was

<sup>1</sup> Ἰταλιωτῶν δὲ τοὺς ἔτι ἐν τῇ συμμαχίᾳ παραμένοντας εἶναι πολίτας. App., Bell. Civ., i. 49. The law included all, native or naturalised Italians, of the faithful.

<sup>2</sup> As the Heracleans and the Neapolitans. Cic., Pro Balbo, 8.

<sup>3</sup> A. C. 89.



much less deeply dyed with wrath and outrage. Such water-colours, to use the poet's words, as the fiercer Italian leaders had found to impaint the cause of their insurrection, were greatly faded in presence of their own expedients<sup>1</sup> and dissensions, as well as before the light let in, as has been noticed, by the Julian law from Rome. For once, the truth was revealed through the darkness of the conflict, that it was unprofitable to peril a just cause upon the doubtful accidents and accursed woes of warfare.<sup>2</sup> The Romans entered upon the new campaign confident of victory; the new Consuls being Pompeius Strabo, as already mentioned, and Porcius Cato, whose command, however, in consequence of his death, soon devolved upon Sulla.<sup>3</sup> It mattered little who the generals might be, or what were the glories that they claimed.<sup>4</sup> The defeat of Vettius Scato at the very beginning of the year was followed by the fall of Asculum;<sup>5</sup> and even Italica was afterwards abandoned for the humbler and safer town of Æsernia in Samnium.<sup>6</sup> But there were no disasters on the Italian, no triumphs on the Roman side, that would of themselves have decided the contest; nor can the

<sup>1</sup> Such as the attempted alliance with Mithridates of Pontus, at that time the nominal ally of the Commonwealth. Diod. Sic., Reliq., xxxvii. 2.

<sup>2</sup> In such sense, all will agree with Niebuhr, that "this war is one of the greatest in all antiquity." Lect. xxxiii. on Rom. History.

<sup>3</sup> App., Bell. Civ., i. 50.

<sup>4</sup> See Sulla's exploits in App., Bell. Civ., i. 50, 51; Diod. Sic., Reliq., xxxvii. 2; Liv., Epit., lxxv. And Pompeius Strabo's in App., Bell. Civ., i. 50, 52; Liv., Epit., lxxiv. lxxvi.; and Diod. Sic., *loc. cit.*

<sup>5</sup> Liv., Epit., lxxvi.

<sup>6</sup> Diod. Sic., Reliq., xxxvii. 2.



terms on which the Romans conquered and the Italians yielded be accounted for by the interpretation apparently adopted by the victors.

This seeming mystery is easily explained. In the army of the Consul Pompeius, before the engagement took place with the troops under Vettius Scato, a youth of seventeen, serving his first campaign, was present at a conference between the Italian leader and the Consul's brother, Sextus Pompeius, who, as an old friend of Scato, came forward to urge his acceptance of the proffered truce. "What shall I call you?" asked the Roman. "Your friend in will, but of necessity your enemy," replied the Italian. Long afterwards, when the youth was known throughout the world of Rome as Marcus Tullius Cicero, the noblest citizen who bore her name, he repeated the story of the interview, adding, that he had witnessed no fear and but little enmity betwixt the foes, for all that the allies were seeking, as he says, was not to deprive the Romans of their rights, but merely to obtain the same rights for themselves.<sup>1</sup> Desire for reconciliation, sheltered by former attachments and not altogether concealed by present passions, on both sides, stole forth with soft-falling steps to save both Italy and Rome from further desolation. The Romans conquered, and at the same time yielded; the Italians yielded, yet their demands prevailed.<sup>2</sup>

<sup>1</sup> Cic., Philipp., xii. 11.

<sup>2</sup> "Italico bello, quo quidem Romani victis afflictisque, ipsi ex-

armati, quam integris universis civitatem dare maluerunt." Vell. Pat., ii. 17.



Before the snows or the green meadows could be trampled again by angry armies, Pompeius, the Consul, preferred a law to invest the people beyond the Po with rights of protection and of property like those previously belonging to the Latin Name;<sup>1</sup> while another law was brought up by Papirius Carbo and Plautius Silvanus, Tribunes, that all the Italians south of the Po,<sup>2</sup> who would appear to make their claim within sixty days, should be admitted to the citizenship of Rome. The Samnites and the Lucanians alone held out for revenge;<sup>3</sup> the rest of the confederates were satisfied with independence, and it was not long before peace became apparently general. Such was the victory by which the conquered obtained their ends as though they had been conquerors, while the conquerors gave way, yet not as though they had been conquered, before the expansion of their Commonwealth from a city to a nation.

The cost must be reckoned before glorying in the

<sup>1</sup> That is, the Jus Latii, or, as it was also called, the Latinitas. See p. 100. There were other Latin citizens, at least in later times, under the names of Latini Coloniarii and Latini Juniani. The divisions of the Romans and their subjects were henceforth those of Cives, Latini, and Peregrini. The first division comprised the Romans and the Italians; the second, these various Latins in Italy and in the provinces; and the third, the pro-

vincials and all other aliens. The title of municipality became common to all, or almost all, Italian towns and colonies.

<sup>2</sup> Cic., Pro Arch., 3. Perhaps the previously mentioned law gave the citizenship to those who were called the Cispadani.

<sup>3</sup> Who were virtually subdued in the following year, when their chief, Pompædus Silo, was taken and slain. App., Bell. Civ., i. 53. Diod. Sic., Reliq., xxxvii. 2.



prize. All the institutions by which the Italians had been separated were now blended in their common liberties; and the lines of division formerly run between allied or municipal or any other subordinate estates were broken down, so that the whole people stood, nominally at least, united amongst themselves and to Rome. But in the operation, more wonderful, had it succeeded, than any similar achievement in ancient history, three hundred thousand of Italian,<sup>1</sup> without counting those of Roman, blood had perished; and though the camps were deserted, and the weapons that had rung and glittered in men's hands were laid aside, the pangs of such a conflict could not at once be soothed. The Romans remembered how their Senate had ordered the dead to be buried on the fields of battle, lest the lamentations of kindred or friends at home should overcome the resolution of the survivors.<sup>2</sup> And the Italians bewailed the vacant places around their hearthstones, and thought with fury, intermitted, perhaps, but not appeased, of the injustice to which their fathers or their sons, their brothers, lovers, or husbands, had fallen victims. Nor did the reward of citizenship prove so fair as to console them; for they had been put within new Tribes,<sup>3</sup> to which inferior places were assigned; and again the old complaints of arrogance and wrong were heard upon many tongues and felt

<sup>1</sup> Vell. Patt., II. 15. "Nec Annibalis," exclaims Florus (III. 18), "nec Pyrrhi tanta vastatio!"

<sup>2</sup> App., Bell. Civ., I. 43.

<sup>3</sup> Of which the number varies from eight to fifteen. Appian (Bell. Civ., I. 49) says ten. Velleius Paternulus (II. 20) says eight.



within some hearts. It appears as if the judgment of Heaven upon the Romans for the abuses of their freedom was its incapacity of finding the air or the life it required, and would have obtained in being generously given to the Italians.



## CHAPTER IV.

SULLA :

## CIVIL WAR AND DESPOTISM.

“ Civilis vulnera dextræ.”—LUCAN, I. 32.

“ A tyrant is one whose list is his law.”—FULLER, *Profane State*, xvii.

THE introduction of the Italians was as vain as the seditions and the reforms of preceding years to save the Commonwealth from the wreck to which it was hurrying with all its liberties. Of still less avail to its protection were the efforts of one or two amongst its citizens, whose voices were loud and whose figures were prominent in the midst of these conflicting perils. A few years before the Social War, for instance, the Censors Domitius Ahenobarbus and Licinius Crassus expelled some Latin rhetoricians, on account of the corruption they were supposed to inculcate upon their disciples ;<sup>1</sup> but there was no better instruction to take the place of that thus formally forbidden ; and if the rhetoricians themselves did not actually return, their schools must soon have been reopened by others like them, and thronged, as theirs

<sup>1</sup> A. C. 93. See the singular edict of the Censors in Aul. Gell., xv. 11, and the explanation which

Cicero has preserved, as if made by Crassus, in *De Orat.*, III. 24.



had been, by young and old. In the second year of the war, another essay towards regeneration was made by the Prætor Sempronius Asellio, who endeavoured to subdue the tumults, excited afresh between creditors and debtors, by reviving the impossible law against interest; but it was far too late to wear about upon the courses of an earlier period, and Asellio, attacked by an armed band while sacrificing before a temple in the Forum, was slain as though he had been the victim whom his gods required.<sup>1</sup> Plautius Silvanus, a Tribune of the same year, and one of the two whose law gave welcome to the allies, was more successful in the wiser designs he had conceived. The first law, apparently, that bears his name, committed the choice of a certain number of judges to each of the Tribes, in order, as it seems, to unite the Senators, the Knights, and even the lower classes of citizens,—then largely increased, as must be remembered,—in the management, or at least the superintendence, of the public tribunals.<sup>2</sup> A second law, a yet nobler memorial of the Tribune's wisdom, determined the punishment of riot or violence, at the very moment, perhaps, of the Prætor Asellio's murder, as a capital offence;<sup>3</sup> and could any mere

<sup>1</sup> A. C. 89. The Senate offered a reward for the apprehension of his murderers, but the affair was hushed up and nothing more was heard of them. App., Bell. Civ., I. 54. Liv., Epit., LXXIV.

<sup>2</sup> "Quum primum Senatores cum Equitibus Romanis lege Plotia judicarent." Cic., Pro C. Corn.,

I. But Asconius says in his commentary, "Et quidam etiam ex ipsa plebe."

<sup>3</sup> "Ad salutem omnium pertinet," &c. Cic., Pro Cæl., 29. The Lex Lutatia was perhaps identical with or else a confirmation of this law of Plautius.



enactment have held fast, this one of Plautius would, perhaps, a little longer have preserved the liberty of Rome. But the waves rose higher; laws parted; peace and freedom sank together; and wild was the triumph of the fathomless sea.

At the close of the same year in which these things were done and feared, Lucius Cornelius Sulla, then in his fiftieth year, was elected Consul,<sup>1</sup> in defiance of opposition, as bitter as if he had been recognized for what he was or was to be amongst his countrymen. A youth of the deepest debauchery had been succeeded by a manhood of the highest ambition; and the quæstorship of Sulla in Africa, his lieutenancy under Marius and Lutatius Catulus, followed by a prætorship in Rome,<sup>2</sup> a mission to the East, and latterly by brilliant services against the Italians, were all inadequate to cover the stories of his profligacy, or to counteract the evil look he wore, as of one who fed his soul upon depravity, after the same system that gave his body up to licentiousness. At the same time he was full of that imposing condescension which makes the timid confident and the worthless active in behalf of its possessor; and although the factions of Rome were anxious, and the prospects out of Rome were fearful, there was a sufficiently numerous party to make Sulla Consul, notwithstand-

<sup>1</sup> For A. C. 88.

<sup>2</sup> A. C. 93. "The Prætor was right," said one of Sulla's opponents, "to call the office his, for he had bought it dear." Plut. Sull., 5. Set this anecdote by the

side of his earlier debaucheries and his intervening military services, when, as Drumann says, "*Raffte er sich von den Trinkgelagen auf*," and we have the manhood of Cornelius Sulla.



ing the rivalry of such as Marius, who hated him on personal, and such as his competitor, Caius Cæsar, who opposed him perhaps, on political grounds. The primary element in his own character was his selfishness; the secondary one was his passion, so strong against his adversaries, that had it not been tempered by policy, it would have involved him with them in ruin.

This passion at the time of his election to the consulship was concentrated on a single object, from which its glare was reflected upon himself with equal fierceness. Between Marius and Sulla there had been burning enmity, from the time when Sulla went to Africa, as Quæstor to Marius's army, which he left with the claim of having obtained the surrender of Jugurtha when the victories of his general had failed to entrap their restless enemy. The same contrast in principle and in education, that had rendered Cato the Censor and Scipio Africanus foes, existed, though in a much more fatal degree,—the Commonwealth being near a century older,—between the superstitious ruggedness of Marius and the voluptuous cultivation of Sulla. The difference, besides, of a generation divided them, and it was further aggravated at the present period by the determination of Sulla to prove that Marius's day was over, while Marius was equally resolved to baffle the insolence as he called it, with which he was jostled and pushed aside. The younger of the antagonists, however, was victorious; and the charge, sought by both, of the war just then declared



against Mithridates of Pontus,<sup>1</sup> after years of boding contentions, was given to Sulla.

The abyss opened at his departure. "From a clear and quiet sky," wrote Plutarch, as anxiously as if he had lived in these distracted times, "there came a sound of trumpet, so shrill and solemn, that men were stupefied."<sup>2</sup> The sound was soon echoed upon the earth. In the eagerness<sup>3</sup> of Marius to obtain the command of the war with Mithridates, he persuaded the most eloquent<sup>4</sup> of the Tribunes, Sulpicius Rufus, until then a strong partisan of Sulla, to bring forward a law that the citizens lately admitted into the new Tribes should be distributed over the five-and-thirty ancient Tribes, on exactly the same footing with the native Romans.<sup>5</sup> As soon as Sulla, who was then halting in Campania to assist in the siege of Nola,<sup>6</sup> still in possession of the Samnite forces, received intelligence of the movement at Rome, he understood its object as plainly as though he had seen straight into the mind of his ambitious enemy. Were the Tribes once crowded with the new citizens, it would be easy for Marius to procure from them the authority and the opportunity of fame he so much desired, by recalling the Consul from the expedition on which he had departed. Sulla accordingly

<sup>1</sup> A. C. 88. The character of this new enemy will be presently touched upon.

<sup>2</sup> Plut., Sull., 7.

<sup>3</sup> "Inexplebilis honorum Marii fames." Flor., III. 21.

<sup>4</sup> Cic., Brut., 55.

<sup>5</sup> App., Bell. Civ., I. 55. Cf.

Liv., Epit., LXXVII., where not only the new citizens, but the freedmen, are mentioned. Another law proposed the recall of the exiles under the Varian law, p. 318.

<sup>6</sup> The account of Velleius Paterculus (II. 18) is here followed.



hastened back to Rome. He found his colleague, Pompeius Rufus, as anxious as himself to resist the law proposed; but Sulpicius was more firmly supported than Sulla had anticipated. Six hundred armed Knights attended upon him as a body-guard;<sup>1</sup> the city was packed with crowds from the country, and behind these threatening throngs appeared the form of Marius, dilated with exultation at the prospects of his passionate old age. Sulla, nevertheless, was not so easily to be overawed. The consulship had seemed to him the seal of his pre-eminence in the Commonwealth, and he had no thought of wasting its authority now that it was assailed. He and his colleague ordered a *Justitium*,<sup>2</sup> so called, in which, as if in a civil excommunication, both private and public business were, for the time, suspended.

The suspension of other occupations, however, served only as the aggravation of hostilities. Sulpicius, with three thousand men<sup>3</sup> at his heels, attacked the Consuls, who refused to revoke their recent edict, in the open Forum. Pompeius fled; his son was slain; and Sulla took refuge in the house of Marius, who, not so savage as to betray him, on the contrary, assisted his escape.<sup>4</sup> The resumption of affairs and the passage of the law concerning the registry of the new citizens, as well as of another to bestow the command against Mithridates upon Marius, were the

<sup>1</sup> Plut., Mar., 35. Sulpicius gave them the name of the Opposition Senate. Ibid., Sull., 8.

<sup>2</sup> App., Bell. Civ., i. 55.

<sup>3</sup> Plut., Sull., 8.

<sup>4</sup> Plut., Mar., 35; Sull., 8, 10.



immediate consequences<sup>1</sup> of the outrage which had thus succeeded.

A fiercer triumph soon ensued. Full of rage, not merely that he had been forced to yield, but that he had owed his safety to his hated adversary, Sulla returned to his army, panting for revenge. Two military Tribunes, sent to notify to him his deposition, were murdered; and, with thirty-five thousand men,<sup>2</sup> gained over to his cause, whatever it might be, but abandoned by every officer save one,<sup>3</sup> he began to march towards Rome. Against such a force there was no protection, even had Marius been prepared for the catastrophe at hand. Two of the Prætors were sent out to delay the Consul's approach; but they came back with broken fasces and disordered robes, to tell how he was advancing, as he said, "to free his country from its tyrants."<sup>4</sup> The embassies of the Senate, and from Marius and Sulpicius, met with no better treatment; and the worst was feared by Sulla's partisans, who knew his temper, as well as by his enemies, who knew their own helplessness. Marius called the very slaves to arms;<sup>5</sup> but it was in a moment of frenzy, and he was not yet nerved to shed the blood of his countrymen. The greater ferocity of Sulla prevailed; trumpets blew in the streets; swords were drawn at the doors; but when the day had been far enough spent in fight and

<sup>1</sup> App., Bell. Civ., i. 56.

<sup>2</sup> Plut., Mar., 35. Six legions, say App., Bell. Civ., i. 57, and Plut., Sull., 9.

<sup>3</sup> App., Bell. Civ., i. 57.

<sup>4</sup> Ibid.; and Plut., Sull., 9.

<sup>5</sup> App., Bell. Civ., i. 58.



butchery to clear the city of his foes, the Consul spared the remaining citizens. He called an assembly of the people, and to such as obeyed his summons he declared the wrongs which he and the Commonwealth had sustained, as well as the means he saw fit to use in their redress. His colleague stood by, consenting and admiring; and the Tribes, or the Centuries, whichever he had convened, had no resistance to make against the repeal of the laws which Sulpicius had carried, and the proscription of their author, with Marius and all the principal partisans of both.<sup>1</sup> One generous man there was to defend the fallen, and he was Mucius Scævola, an Augur, and formerly a Consul,<sup>2</sup> who now avowed, in defiance of Sulla's menaces, that he did not hold his old blood so precious as to save its last drops by consenting to the outlawry of Caius Marius, the preserver of Rome and of all Italy in days that might still be recollected.<sup>3</sup> Marius fled, through hairbreadth escapes,<sup>4</sup> to Africa; but Sulpicius was betrayed by one of his own slaves, and put to death.<sup>5</sup>

Sulla was not yet the absolute master of Rome. Notwithstanding the terror inspired by his sanguinary triumph, and the situation of the Senate, confronted or set aside, the spirits of the citizens generally revived from day to day; and when Sulla commended

<sup>1</sup> App., Bell. Civ., i. 60. Plut., Sull., 10. The account in the preceding section of Appian is not trustworthy. Cf. Liv. Epit., LXXVII.

<sup>2</sup> Apparently the uncle of him

whose law against the Italians is mentioned in the foregoing chapter.

<sup>3</sup> Val. Max., III. 8. 5.

<sup>4</sup> See Plut., Mar., 35—40.

<sup>5</sup> App., Bell. Civ., i. 60. Plut., Sull., 10.



certain candidates to their choice, they elected others whom he especially disapproved. Some further events, such as the intrigues in favour of his enemies and the murder of his recent colleague in the consulship,<sup>1</sup> may have caused him anxiety ; but contenting himself with an oath of fidelity from his successor, Cornelius Cinna, he departed without fear upon his long delayed expedition to the East.

Even before he went, the fidelity of his successor failed ;<sup>2</sup> and as soon as he was fairly out of Italy, Cinna came forward to urge the recall of the proscribed and the reenactment of the law concerning the new citizens, in whom the number, if not the strength, of that faction chiefly resided. The interests of their opponents, however, were upheld by the other Consul, Cneius Octavius, of little previous repute,<sup>3</sup> but a man preferred by Sulla, as one of his most capable followers. On Cinna's appearance in the assembly, with partisans secretly armed, Octavius was so well prepared for the same tumultuous course, as to be able to drive his colleague, with his partisans, not only from the Forum, but from Rome.<sup>4</sup> Cinna was then deposed ; but the memory of his predecessor's return did not escape him ; and whatever else might be his deficiencies, he had no scruple and shewed no incapacity in achieving triumph and retaliation. The soldiers serving in Campania were

<sup>1</sup> Pompeius Rufus was slain by the soldiers of whom he was about to take command, at the instigation of Pompeius Strabo. App., Bell. Civ., i. 63.

<sup>2</sup> Plut., Sull., 10. It was now A.C. 87.

<sup>3</sup> Cic., Brut., 47.

<sup>4</sup> App., Bell. Civ., i. 64.



quickly gained; other troops swelled their ranks; exiles and adventurers and most of the country folk gathered about their Consul, as they called Cinna; and when Marius came over from Africa to join him, with the title of Proconsul,<sup>1</sup> it was plain that wrath and slaughter were let loose upon a more fearful scent than they had followed under Sulla. Quintus Sertorius, the bravest and the wisest man in Cinna's camp, advised in vain that Marius should not be received;<sup>2</sup> but the passions springing like armed monsters from the sowings of the last half-century were destined to have their way at Rome.

Meanwhile, the city was hastily fortified, and sundry measures for arming its willing and conciliating its unwilling<sup>3</sup> defenders were rapidly executed; until, after various manœuvres between the hostile parties, Octavius, the Consul, with his colleague in Cinna's place, Cornelius Merula, marched forth, at the head of all the forces they could collect, to offer battle. Their ranks, however, were soon so thinned by desertion and their counsels so baffled by discord amongst their partisans, that there was no other course for Merula but to resign,<sup>4</sup> and none for Octavius but to acknowledge Cinna as his colleague, and leave the road unguarded by which Marius was hastening to his revenge. The old man, hot with ire that would

<sup>1</sup> App., Bell. Civ., i. 65—67.  
Vell. Pat., ii. 20. Liv., Epit.,  
LXXIX.

<sup>2</sup> Plut., Sert., 5.

<sup>3</sup> Liv., Epit., LXXX., whence it seems that some especial effort was

made to gain over the lately enfranchised Italians.

<sup>4</sup> See the noble manner of his resignation in Diod. Sic., Reliq., XXXVIII. XXXIX. 3.



have ill befitted the youngest blood, even in Roman veins, halted an instant without the gates, in order that the sentence of outlawry upon him might be finally repealed, but presently, too impatient to wait the vote of the people, he pressed on to do his work of blood and terror.

It can be the desire of no Christian reader to hear the groans of the dying or the curses of the murderers in the horror-stricken city. The violence of which Sulla had been guilty was sure to produce a reaction more violent still, and the swords that had put his adversaries to flight were now thrust back into the breasts of all who favoured him or who were counted as inimical to them. During five days and nights that the massacre continued, Sertorius alone entreated mercy,<sup>1</sup> while Octavius was murdered in his consular chair, and such as Lutatius Catulus or Cornelius Merula were compelled to die by their own hands. Cinna was entirely under the control of Marius, and Marius was as entirely under the control of passions too fiendish to bear with a moment's humanity.<sup>2</sup> He was proclaimed Consul, at his own command, with Cinna; but eighteen days afterwards,<sup>3</sup> he died in remorse, deserved, indeed, but fit to be commiserated.

<sup>1</sup> Plut., Sert., 5. He not only entreated, but punished some of the assassins, sword in hand.

<sup>2</sup> "Non così lupo famelico sbrana gli agnelli intruso nell' ovile, come lo spietato Mario estermi-  
nava i cittadini." Verri, *Notte Rom.*, Coll. III. The horrible details are in Cic., *De Orat.*, III. 2, 3;

Liv., *Epit.*, LXXX.; Vell. Pat., II. 22; App., *Bell Civ.*, I. 71—74; Plut., *Mar.*, 42—44; Flor., III. 21. Sulla's property was destroyed or confiscated, and his wife and children were obliged to fly for their lives.

<sup>3</sup> A. C. 86. He was seventy-one years old. Plut., *Mar.*, 45.



An interlude of nearly four years elapsed between the acts of this tragedy, in which the death of Marius really formed the next preceding scene to the return of Sulla. Men held their breaths, as it were, in awe at what they had beheld, and in more awful terror at what was yet to be enacted in Rome; and if a band of inferior performers were allowed to keep possession of the stage, it was because they who looked on were rather gazing behind the scenes, watching the movements of that fearful form at whose reappearance it was felt that not the stage only, but the whole amphitheatre, would swim in blood. A Cabal, as it might be called, composed, besides Cornelius Cinna, of a few men like him, Valerius Flaccus, Papirius Carbo, Caius Norbanus, Scipio Asiaticus, and Caius Marius, the adopted son of the departed warrior, held fast to the government of the Commonwealth,<sup>1</sup> as if it were to save them in the midst of universal insecurity, choosing themselves by their own proclamations, and declaring their edicts in the face of a palsied people.<sup>2</sup> But in spite of laws, elections, and even numerous forces raised and kept on foot, it was impossible for such a usurpation to endure.

<sup>1</sup> The chronology of these years is enough for their history. A. C. 86: Cinna Consul, first with Marius, and next with Valerius Flaccus. 85: Cinna and Carbo Consuls. 84: Cinna and Carbo, again; Cinna being slain, and Carbo remaining sole consul. 83: Norbanus and Scipio Consuls; Carbo

Proconsul. Sulla lands in Italy. 82: Marius and Carbo Consuls; overthrown by Sulla.

<sup>2</sup> "Temporibus iis quibus inter profectionem reditumque L. Sullæ sine jure fuit et sine ulla dignitate respublica." This is Cicero's account (*Brut.*, 63), and he lived through "those times."



Meanwhile, the miseries inflicted upon Rome by her own citizens were outdone by the barbarities of which her soldiers were guilty towards her Eastern provinces and enemies. Three years of mingled devastations, mutinies, murders, and victories had brought the war with Mithridates and the onslaught upon Greece and Asia Minor to a dismal close ;<sup>1</sup> and without tarrying to complete the arrangements which the peace required, Sulla began to move, with all his most trusted soldiers, back to Rome. The time was come for civil and for foreign conflicts to shew their work, in the submission of the Commonwealth—for which fathers had slain their children and women had refused to weep over their lovers and their sons—to despotism. Sulla, personally, had waited only to secure his return in triumph ; for, while the life-long devotion of his soldiers had been gained by his indulgences and their permitted rapines, the power of his antagonists had crumbled away, as of itself, leaving the whole body of his countrymen exposed to any blows or chains he might see fit to bring upon them. Some time before he actually started on his homeward march, he wrote from Athens to inform the Senate of his intention to return for the reparation of his private injuries and the condemnation of the public crimes ;<sup>2</sup> and when ambassadors hurried to him in consequence from the Senate, he answered, briefly and bitterly, to their interrogatories, that the friends<sup>3</sup>

<sup>1</sup> Peace was made A. C. 84. App., Bell. Mithrid., 55, 58.

<sup>2</sup> App., Bell. Civ., i. 77.

<sup>3</sup> His camp was full of fugitives of the higher ranks :—"Major pars nobilitatis." Vell. Pat. II., 23. So Plut., Sull., 22.



who were with him in exile must be recalled and reinstated in their possessions, but that even then he could never be on any terms with the perpetrators of the enormities by which he and his adherents had been outraged.<sup>1</sup> Such replies were like the frosty gusts of winter to those to whom they were borne; and though the remaining adherents of their fast approaching foe were massacred at Rome,<sup>2</sup> and the very temples of the gods were plundered to pay the troops<sup>3</sup> who should stand in the way of Sulla's soldiers, the year during which resistance was protracted soon closed in submission. The conqueror, who had played the fox and the lion with equal effect, and by whose side were gathered many of the most illustrious and the most promising of his countrymen, Metellus Pius, Crassus Dives, and the youthful Cneius Pompeius Strabo, took possession of Rome;<sup>4</sup> and the agony of doubt, at least, was ended.

The final battle at the gates was fought with the Samnites,<sup>5</sup> who had vainly hoped to find some room for victory where their foes stood sundered amongst themselves. Within the walls, and at the summit, so to speak, of the whole city, the Capitol, some time

<sup>1</sup> Liv., Epit. LXXXIV. App., Bell. Civ., I. 79.

<sup>2</sup> App., Bell. Civ., I. 88. Cf. 56; Liv., Epit., LXXXVI.

<sup>3</sup> Val. Max., VII. 6. 4. 200,000 men were at one time in arms. Vell. Pat., II. 24. Sulla had 30,000 or 40,000. Ibid., and App., Bell. Civ., I. 79.

<sup>4</sup> Metellus was the son of Marius's opponent, Metellus Numidicus; Pompeius, or, as we call him, Pompey, of Pompeius Strabo, the Consul in the Social War. It was Carbo who said that he had to fight both a fox and lion in Sulla. Plut., Sull., 28.

<sup>5</sup> Vell. Pat., II. 27.



before destroyed by fire,<sup>1</sup> now lay in ruins. It was through this butchery of the last Italians in arms and to the blackened temple of his own Rome, that Sulla wended his way, begirt by bloody men and inspired by horrible resolves. His victory, for which he soon afterwards called himself the Fortunate,<sup>2</sup> was the sign how far mercy, peace, and liberty were extinct amongst his race and through the heathen world.

That night, according to his own confession,<sup>3</sup> he could not sleep; and the visions of his darkened chamber were soon the realities of the overshadowed city. Calling the people, shuddering every one of them, except his followers, for their own fate, into the Forum, he declared that he would be good to them, if they obeyed him, but that not one of his enemies would be spared.<sup>4</sup> The threat was thoroughly fulfilled, and not in Rome alone, but over Italy, wherever an estate could be found for confiscation, or a life be marked for assassination. If we turned away from the fury of Marius, we ought scarcely to hint the atrocity of Sulla; and nearly all that need be told is, that every vice the latter had, whether of luxury or avarice or cruelty,<sup>5</sup> was satisfied. Ninety Senators, fifteen of consular rank, and twenty-six hundred Knights were slain or exiled,

<sup>1</sup> App., Bell. Civ., i. 83.

<sup>2</sup> "Felix." Vell. Pat., ii. 27.  
Now A. C. 82.

<sup>3</sup> Ap. Plut., An Sen., &c., tom.  
ix. p. 143, ed. Reiske.

<sup>4</sup> App., Bell. Civ., i. 95.

<sup>5</sup> "Trium pestiferorum vitiorum," says Cicero, who, though young, knew Sulla well, "luxuriæ, avaritiæ, crudelitatis magister fuit." De Fin. Bon. et Mal., iii. 22.



besides those that had fallen in actual war, the more than one hundred thousand Roman and Italian youth whom the historian numbers.<sup>1</sup> Eight thousand prisoners fell in a single massacre;<sup>2</sup> whole towns were fined, dismantled, or sold;<sup>3</sup> into every sheepfold<sup>4</sup> there was an irruption, and in every den of the fiercer amongst the vanquished there was a deadly conflict. The sole bounds upon the bloodthirstiness of the victor were set by his own pleasure, that some should live to see his greatness and to obey him.<sup>5</sup>

These outrages, and others worse than these, upon humanity and liberty would seem less fatal, had they been Sulla's work alone, or even had they been applauded merely by the soldiery or the populace. But the higher classes, or that portion of them which survived his butcheries, were united with him, not so much in fear for their safety, as in satisfaction of old enmities and in hope of new honours; many, even, for the sake of a neighbour's land, or for the palace of a rich man, sometimes on their own side.<sup>6</sup> The Senate, so called, after losing its ninety members, was emphatically devoted to Sulla; and many

<sup>1</sup> App., Bell. Civ., i. 103. Eutropius (v. 9) says more. "Ne dici quidem opus est," says Cicero (In Cat., iii. 10), "quanta diminutione civium et quanta calamitate reipublicæ."

<sup>2</sup> Liv., Epit., lxxxviii. Cf. Plut., Sull., 30.

<sup>3</sup> Flor., iii. 21. App., Bell. Civ., i. 96.

<sup>4</sup> "Et miseræ maculavit ovilia Romæ." Lucan., ii. 197. Any

one who would sup full of horrors may turn to Liv., Epit., lxxxviii. lxxxix; Plut., Sull., 30 — 33; App., Bell. Civ., i. 94—96, 100, 101; Vell. Pat., ii. 28; Val. Max., ix. 2. 1.

<sup>5</sup> "Vivere aliquos debere ut essent quibus imperarent." Flor., iii. 21.

<sup>6</sup> "Neque prius finis jugulandi fuit quam Sulla omnes suos divitiis explevit." Sall., Cat., 51.



of the younger men, like Pompey, were as ready to join the throng, from motives a little higher than those enumerated, perhaps believing him to be the champion of their principles in contradiction to those of Marius and Cinna, or convinced, without this faith, that there was no other man to take the lead amongst their long-distracted fellow-citizens.<sup>1</sup> Be these things as they may, there is little doubt about the position which Sulla himself intended to occupy, not as the leader of any party or of any parties, but as the sovereign of the entire Commonwealth.

The leaders of the faction he had crushed were fled or slain, unlamented even by their own adherents. Only Quintus Sertorius, the single capable and upright one of all, had been able, with some followers, before Sulla's victory, to seek refuge in Spain, where he will shortly be found. The few men or the few families in Rome, of whom no account is preserved, who must have lived in comparative indignation at the deeds they every day beheld, were too anxious for their own safety<sup>2</sup> to plead for the safety of their countrymen, or for respect to their country. Porcius Cato, now nine years older than when he slighted the menaces of Pompædus Silo, asked, on beholding the monstrous cruelties of which Sulla's house or its neighbourhood was the hourly scene, why, if others feared, he was not himself armed to kill the tyrant and deliver Rome.<sup>3</sup> A young

<sup>1</sup> "Egregie auctoritate nobilitatis defensus." Val. Max., ix. 2. 1.

<sup>2</sup> See App., Bell. Civ., i. 97; Dion Cass., Fragm., cxxxvii.

<sup>3</sup> Plut., Cat. Min., 3.



man, some years older than Cato, already one of the priesthood, and married to a daughter of Cornelius Cinna, was ordered to put away his wife as of a blood displeasing to the conqueror. But the youthful husband refused; and though deprived of fortune and office, as well as obliged to hide himself from assassination, he neither yielded nor sought for pardon. His kindred, however, all of the highest rank, entreated Sulla in his behalf, and the Vestal virgins, whose privilege it was to intercede for the condemned, besought that he might be forgiven. Sulla finally gave way, declaring, as he did so, that there were many Mariuses in the Julius Cæsar whom he spared.<sup>1</sup> It was more than the resolution of boys or youths could achieve to right the shattered Commonwealth; yet while such as Cæsar and Cato remained, some hope, apparently, survived of calmer seas and more trusty helmsmen.

Before these things, and others like them, had all taken place, the absolute authority of life and death had been formally conferred by the Senate upon the man whom their fathers would have speedily chastised for his presumption, even if they had been insensible to his barbarity. A decree put forth to ratify and renew the acts of his consulship and proconsulship was soon followed by the erection, before the rostra, of an equestrian statue of himself, blazing with gold and inscribed to Sulla the Fortunate Victor.<sup>2</sup> The show of statues, and the revival of laws

<sup>1</sup> Suet., C. J. Cæs., 1.

cerning the act of ratification, see

<sup>2</sup> App., Bell. Civ., i. 97. Con-

Cic., De Leg. Agr., iii. 2.



he had made at a season of less power than he now possessed, were but trifles, compared with his demands. He chose to be named Dictator; and the obsequious Senate appointed an Interrex, Valerius Flaccus, who, not content with nominating his master to the dictatorship, proposed an especial law by which the most absolute authority that mortal could exercise<sup>1</sup> was tendered to the new sovereign. Flaccus received his reward in being appointed to the mastership of Knights; but neither he nor any other magistrate in Rome could have mistaken his position in presence of the lictors and guards<sup>2</sup> around the Dictator, the first successor of the Dictators against Hannibal, a century and a quarter before.

The uses of this unbounded power during the months immediately subsequent to its seizure were such as have been sufficiently described. But the dictatorship lasted beyond these months for nearly three years,<sup>3</sup> the greater part of which time was more carefully and less sanguinarily employed by Sulla in adapting the constitution of the Commonwealth, as it was still called, to his own standard, with the intent of securing the government to himself through his life-time, and of leaving a proper system in control of succeeding generations. Public<sup>4</sup> as well as private confiscations not only supplied

<sup>1</sup> "The power," says Plutarch (Sull., 33), "over life and death, confiscations, colonisations, building and destroying cities, taking away and giving kingdoms."

<sup>2</sup> App., Bell. Civ., i. 100.

<sup>3</sup> The dictatorship began towards

the close of A. C. 82, continued through 81 and 80 to the commencement of 79.

<sup>4</sup> Of these there are but scattered indications. Cic., De Leg. Agr., ii. 14, 15. App., Bell. Civ., i. 100. Plut., Sull., 33.



him with wealth, but fortified his authority by the devotion of all he enriched and the submissive dread of those whom he spared ; whilst reaction against him, on the part of the proscribed, was prevented by their exclusion from offices and from any chances of repairing their ruined fortunes.<sup>1</sup> With the same view of corroborating his own dominion, he sent his veterans in troops<sup>2</sup> to displace the Italian citizens in those regions or towns which had opposed his march to Rome.

The reforms of the Dictator began, apparently, with the criminal law. The alterations he introduced into this branch of the Roman code were of great importance in themselves,<sup>3</sup> as well as of signal influence, as might be supposed, in promoting the order which he wisely conceived to be indispensable to himself, as well as to those he governed. It was equally necessary that the political forms of the code should be remoulded in order to coexist with the mighty substance of his authority. No one, according to his laws, was to be elected Prætor without having passed the quæstorship, or Consul without having held the prætorship ;<sup>4</sup> and as it was easy

<sup>1</sup> Liv., Epit., LXXXIX. Vell. Pat., II. 28.

<sup>2</sup> Twenty-three legions, according to App., Bell. Civ., I. 100 ; but forty-seven according to Liv., Epit., LXXXIX.

<sup>3</sup> Concerning the conduct of trials, as well as the crimes for which the trials were held. Murder, poisoning, extortion, forgery,

false witness, household expenses, &c., were all made the subjects of new enactments. See any full Index Legum to Cicero ; or Drumann, Geschichte Roms, vol. II. pp. 486 *et seq.*

<sup>4</sup> App., Bell. Civ., I. 100. This was a revival of a former law. The number of Prætors was increased to eight and that of Quæstors to twenty by Sulla.



to oversee the inferior offices, the superior magistracies were of course subordinate to the same control. In order, moreover, to prevent his creatures from becoming too powerful, Sulla, by another law, forbade the re-election of any person to the same magistracy within ten years of his first term.<sup>1</sup> Some of the great offices, like the censorship,<sup>2</sup> were left unfilled; while the tribunate was completely metamorphosed into a post occupied by members chosen from the Senate,<sup>3</sup> with much restricted limits to its rights of intercession,<sup>4</sup> and with total loss of its former legislative powers,<sup>5</sup> its tenure being, besides, a bar upon pretension to any other place thereafter.<sup>6</sup> The Tribes were next degraded by the admission of ten thousand freedmen, to whom the Cornelian name<sup>7</sup> was given as to so many clients of the Dictator; and the privileges of legislation and trials, once belonging to the assembly, were transferred to the Centuries.<sup>8</sup> The Senate and the priesthood were more favourably treated. The number of Augurs, Pontiffs, and probably Decemvirs of the Sibylline books, was increased

<sup>1</sup> App., Bell. Civ., i. 100. Also an ancient law.

<sup>2</sup> Apparently, at least, if we take Cicero's complaint (In Cæc. Divin., 3) as literal.

<sup>3</sup> App., Bell. Civ., i. 100. See Sueton., August., 10, 45; and Dion Cass., liv. 30.

<sup>4</sup> Cic., De Legg., iii. 9. Compare Cæsar's Commentaries on the Civil War, i. 5.

<sup>5</sup> Cic., *loc. cit.*, and Pro Cluent., 40. Liv., Epit., lxxxix.

<sup>6</sup> Ascon. in Cic., Pro C. Corn., i.

<sup>7</sup> App., Bell. Civ., i. 100. "Ὅπως ἐτοίμοις ἐκ τῶν δημοτῶν πρὸς τὰ παραγγελλόμενα μυρίοις χρῶτο, "That he might have ten thousand Tribesmen to fulfil his commands."

<sup>8</sup> See note 5 *supra*. The Tribes, however, did not lose their elective powers, except in part. Cf. App., Bell. Civ., i. 59, and Cic., Pro Dom., 30. The Centuries, on the other hand, could not act without the previous consent of the Senate.



to fifteen in each college, to all of which the right of choosing their own members was restored.<sup>1</sup> To the Senate was granted an accession of legislative powers,<sup>2</sup> at the same time that its ancient judicial authority was recovered from the Knights,<sup>3</sup> who, as a faction, were wellnigh overwhelmed. All the principal magistracies were to be held by Senators; and from those offices filled by other ranks led the only way of admission to the Senate. It was natural that a body, spared or created<sup>4</sup> by the Dictator, should be clothed with sufficient authority, not so much to sustain as to obey him.

In the same continued determination to maintain his own power, Sulla framed his laws respecting the provinces and the armies, of which the command, as he knew well, was the great step to dominion at Rome. On the arrival of a new chief magistrate in his province, his predecessor was enjoined to depart within a limited period, although his commission was to last him on his journey home.<sup>5</sup> During office, the governor was prohibited from leading his army out of his province, and from making use of his nearly absolute authority to declare war against the people he governed or to injure the superiority of the Commonwealth.<sup>6</sup> The provincial cities were like-

<sup>1</sup> Liv., Epit., LXXXIX. Serv. ad Æn., vi. 73. Dion Cass., xxxvii. 37.

<sup>2</sup> App., Bell. Civ., i. 59.

<sup>3</sup> Vell. Pat., ii. 32. Tac., Ann., xi. 22.

<sup>4</sup> Three hundred were raised

from his followers among the Knights. App., Bell. Civ., i. 100.

Liv., Epit., LXXXIX. They may have been elected, on his nomination, by the people.

<sup>5</sup> Cic., Ad Div., i. 9, iii. 6.

<sup>6</sup> Cic., In Pison., 21.



wise restrained in the long-prevailing custom<sup>1</sup> of sending sumptuous embassies to the Senate, charged with merited or unmerited praises of their retiring governors. There may have been other precautions of the same nature, not now, however, of any importance, except as they seem to prove that the government of all the Roman world was then appointed by one man, upon the principles he had learned through his own extortion and ambition.

The part of Sulla in Roman history has been commonly represented as that of a conqueror and a legislator whose resolution was confined to the purification of the constitution and the elevation of the aristocracy of his country. It would rather appear, and without a single extravagant rendering of our authorities, that his aim, from first to last, was to secure his individual sway and his personal safety. For mere title or form, either in his own possession or in that of other men, he cared nothing, so long as they were really submissive, and he was really powerful. Their love or hatred was the same to him, if it did not interfere with their obedience; and the friend or the enemy who had escaped his wrath was still obliged to bend before a whisper of his will. He allowed two of his adherents to be chosen Consuls, soon after he became Dictator;<sup>2</sup> but when another of his train, Lucretius Ofella, who had deserted the faction of Marius and had since done great service to Sulla, presented himself as a candidate for the consulship, in defiance of the law concerning the

<sup>1</sup> Cic., *Ad Div.*, III. 10.

<sup>2</sup> App., *Bell. Civ.*, I. 100.



preliminary steps to that office, it was soon proved that the triumph of the master gave the followers no claim to independence. The Dictator ordered Ofella to desist from further canvassing ; but seeing as he sat in state before a temple commanding a view of the Forum, that his direction was slighted, he sent down a Centurion to slay the presuming candidate before his eyes. The partisans of the murdered man, ignorant, perhaps of what had passed, dragged the murderer up to the Dictator's tribunal, assured of his instant desire to avenge the assassination of so favourite a general. Sulla rose, and coldly bade them loose the Centurion. "I commanded," he said, "and I tell it you, the death of Lucretius for having disregarded my behests."<sup>1</sup> And raising his voice, undoubtedly, while they stood motionless and alarmed, he continued :—"A certain ploughman, troubled by fleas, twice let go the plough to shake his frock ; but being still tormented, he burned the frock that he might not be stopped again. And I tell you," he concluded, "who have twice been conquered, to beware of fire brought upon you for the third time."<sup>2</sup>

The effort of a boisterous partisan to pull his master's plumes was not the only resistance to the dictatorship, in which the history of Roman liberty at first appears to have reached its conclusion. On the contrary, as at all other periods of depression in

<sup>1</sup> Plut., Sull., 33. Liv., Epit., LXXXIX.

<sup>2</sup> App., Bell. Civ., i. 101. The old writer, Julius Exsuperantius, hit the truth, perhaps with Sallust's

aid, in his *Opusculum de Bellis Civilibus*, when he said of Sulla, "Et rempublicam vindicatam non reddidit legibus, sed ipse possedit." Cap. v.



any country or in any age, the declining years of the Commonwealth will still be gilded, as with the Gracchi, by some few signs of truer spirit than would otherwise have been believed of possible appearance in skies at almost all times so dark as those of Rome.

One of the last places which held out against the dominion of Sulla was Volaterræ, a strong and picturesque city in Etruria. A number of its inhabitants joined by fugitives from other districts, bore up with such manfulness against a siege, that, after its continuance for two years,<sup>1</sup> they were still in arms, when the Dictator proposed the confiscation of their lands, and the forfeiture of their citizenship. He does not, indeed, appear to have signified his pleasure very directly or earnestly;<sup>2</sup> but the refusal<sup>3</sup> of the Centuries, on whom, according to his new system, devolved the question of the fate of Volaterræ, to violate the rights of their fellow-countrymen, for being brave in heart, is one grain, at least, of promise in the midst of the wilderness through which we have lately passed.

An instance of more selfish independence occurred on the return of the young Pompey from Sicily and Africa, where he had crowned his service to Sulla<sup>4</sup>

<sup>1</sup> Strabo, v. 2. 6.

<sup>2</sup> The bill of disfranchisement proposed is in Cic., Pro Cæc., 33.

<sup>3</sup> Cic., Pro Dom., 30, and Ad Div., XIII. 4.

<sup>4</sup> Pompey's first campaign, like Cicero's, was in the Social War,

before he had passed his boyhood.

His father, with whom he served, afterwards fought against Cinna and Sertorius, and he himself, still later, joined Sulla, on his arrival in Italy, with an army of three legions he had raised in Picenum.



by destroying the last remains of the party of Cinna and Marius. The reception he met without the gates of Rome from the Dictator himself, and the multitude who thronged to meet him, was the moment of inspiration to many of the qualities and the aims we shall observe in him hereafter. Sulla had no envy of the "still unbearded" general, whom he received with every expression of applause, even to the point of hailing him Magnus,<sup>1</sup> or the Great, as though he would have encouraged rather than repressed his reputation. But the claim of Pompey to celebrate a triumph was met by the denial of the Dictator whose will it was that the laws granting the highest honour of a Roman life to a Prætor or to a Consul alone should be obeyed, at least in this case, on account of the vaingloriousness already manifested by the youthful hero. Pompey might have been vain ; but he did not fear to tell the Dictator openly,<sup>2</sup> that the rising would have more worshippers than the setting sun, or to repeat his demand. Either admiring the spirit of the stripling, or perhaps desirous to soothe, instead of provoking, such audacity, Sulla bade Pompey triumph, if he pleased. Yet, had the Dictator been actually jealous<sup>3</sup> of a hero so much his junior, Pompey would have soon been sacrificed.

More spirited, more generous, and in every way more admirable was the behaviour of Marcus Tullius Cicero, whose career will often present the same contrast to that of Pompey, than whom he was a few

<sup>1</sup> Plut., Pomp., 13.

<sup>2</sup> Ibid., 14.

<sup>3</sup> Ibid., 15. This was at the close of A. C. 81.



months older in years.<sup>1</sup> Cicero, now in his twenty-seventh year, was still unknown amongst the people, his public services consisting in a single campaign, to which we have before alluded,<sup>2</sup> unless his patient and successful pursuits in seclusion be counted, as indeed they should, in consideration of the achievements for which they were his preparation. A few friends and fellow-students were alone aware of the gifted mind and the humane heart with which they were brought into communion; but even their admiration was tinged with anxiety lest the affections and the endowments of his nature should be suffered to stray. On coming forward, however, in the year of Pompey's triumph, to take his place amongst the Roman orators,<sup>3</sup> Cicero found many to trust in him and to encourage his trust in himself, the want, as it then seemed, he most required to have supplied. Within some months after his appearance in public, a young man from Ameria in Umbria, named Sextus Roscius, was accused of parricide by Cornelius Chrysogonus, the most notorious of Sulla's ten thousand freedmen, who had obtained possession of the father's estate by shamefaced villany, and who now desired to anticipate the son's demands by perfidious prosecution. The only advocate to be found to sustain the obscure defendant against the charge of the Dictator's well-known

<sup>1</sup> Cicero was born, near Arpinum, on the 3rd of January, A. C. 106; Pompey, on the 30th of September in the same year. The birth of their great contemporary and conqueror, Cæsar, occurred

six years later, on the 12th of July, 100.

<sup>2</sup> In the last chapter, p. 330.

<sup>3</sup> A. C. 81; though the oration *Pro P. Quintio* (see cap. 1) was not his first.



favourite was Tullius Cicero. His courage may be ascribed to what they will who write with perpetual distrust of their fellow-creatures; but the defence of his client was not his only theme. Alone of all his countrymen, he mourned aloud for the calamities of their common country, and the sentence he sought in behalf of Roscius was urged by branding the accuser, and even by reproaching the all-powerful master<sup>1</sup> by whom Chrysogonus was known to be upheld. "There is no one of you," he exclaimed to the judges, "no one of you but knows that the Roman people is suffering under domestic cruelty. Drive it out from the city! Bear with it no longer in the Commonwealth, lest we, too, in the continuity of crime, lose every feeling of humanity from our minds!"<sup>2</sup> Roscius was acquitted.

Neither Cicero's eloquence, nor Pompey's presumption, nor the sympathy of the entire people for Volaterræ could have much effect upon the grandeur in which the Dictator lived, self-composed and confident in the faithfulness of his allies,<sup>3</sup> rather than his deities, in heaven. After two or nearly three years of an uninterrupted and an undisputed dictatorship, during one of which he had also possessed the con-

<sup>1</sup> Pro S. Rosc., 45. Cf. 47, 49. "Die Römer," says Drumann, "bewunderten Cicero's Muth." Gesch. Roms, vol. v. p. 244.

<sup>2</sup> Ibid., 53. If there be words in praise of Sulla to match with these to which I more gladly refer, it must be remembered how Cicero, like many other men, was

persuaded that the laws of the Dictator had restored order to the Commonwealth and preeminence to the Senate. He called them "præclaræ leges Corneliæ" eight years after Sulla's death. In Verr., act. II., II. 31. See Pro Dom., 30.

<sup>3</sup> See Plut., Sull., 9, 27, 37.



sulate, and through all of which he had commanded the entire resources of the Commonwealth, except in Spain, he came one day, attended, as usual, by his four-and-twenty lictors, into the Forum. It was too common a sight, perhaps, to attract a crowd; but they who happened to be near by heard him with amazement declare that he had come to lay down his power and retire into private life.<sup>1</sup> The lictors were dismissed, and Sulla walked up and down, like any other citizen, amongst the multitude that hurried in to see the strangest spectacle, as it seemed, in all their history. One boy followed the great man home with hootings offensive enough to the majesty of the new citizen to provoke his indignation;<sup>2</sup> but he had abdicated, in the full knowledge that such an affront would be all—nay, more than all—the retribution to which he, in the midst of dependents, freedmen, veterans, and magistrates, could be exposed. His retirement, however, shewed not only the want of fear on his own part, but the want of hope on the part of his countrymen, or his subjects, as most of them were, in the liberty he had for the time almost annihilated.<sup>3</sup>

We need not follow him into the debaucheries and the so-called literary pursuits in which he wasted

<sup>1</sup> This was near the beginning of A. C. 79. App., Bell. Civ., i. 103. Plut., Sull., 34.

<sup>2</sup> App., Bell. Civ., i. 104.

<sup>3</sup> "The Roman, when his  
burning heart  
Was slaked with blood of Rome,

Threw down the dagger,—dared  
depart

In savage grandeur home.  
He dared depart in utter scorn  
Of men that such a yoke had  
borne,  
Yet left him such a doom!"

BYRON.



the few remaining months of his life, or repeat the loathsome details of his death.<sup>1</sup> He was buried in extraordinary pomp, without a regret from those he had most benefited, or a murmur from those yet living whom he had most injured.

Yet the memory of Sulla continued for many years to rule the Commonwealth. It was not simply that his adherents, in sustaining his establishments, were sustaining themselves, nor yet alone that the depression he had produced could be followed by no instant recovery; but chiefly because the condition of the Roman world had long been prepared for such a dominion as his, and was now more suited to its existence than to any attempts at restoration.

The misery and the confusion wrought during the ten or twenty preceding years have not been half told, nor can they now be wholly described. In the revolving and overturning courses pursued by one party after another at Rome, scarcely an institution in public remained unaltered, scarcely a family in private was left unchanged. A merely political survey of the city might discover that the divisions we long since noticed still endured, and that, though the Knights were deeply humbled by Sulla's triumph, and the Italians partially contented by the issue of the Social War and the succeeding civil contests, there was hardly less separation between these various classes than of yore. At the same time, or

<sup>1</sup> He died A. C. 78, at the age of fifty-nine. Plut., Sull., 36, 37. Val. Max., ix. 3, 8. App., Bell. Civ., i. 104.



rather in continued process of extension, there were other lines of demarcation amongst the higher ranks, drawn long before, but recently or soon made more distinct, between the noble and the ignoble by birth,<sup>1</sup> and the aristocratic and the popular<sup>2</sup> by party; the noble and the aristocratic, generally speaking, being the Senators with their adherents, while the popular and the ignoble were the Knights, whose numbers and authority were shortly revived. As for the crowds in the Forum, to which the name of People is assigned by the historians, it can only be said of them, whether Italians or Romans, free or freedmen, that the throngs once gathered with serious purposes where they now stood, to applaud their heroes or jeer at their offenders,<sup>3</sup> would have driven them with scorn from the spot where the Gracchi had been heard and where Virginia had been avenged.

But if from these political features, in sketching which we are in advance of the period immediately preceding and following upon Sulla's death, we turn to seek a view of the social or the personal appearance of the Romans, the desperate state of their Commonwealth will be far more evident. Passing by the lower classes, as well the citizens, so styled, whose

<sup>1</sup> Cicero (In Verr., act II., v. 70, 71) defines them both. Sallust, in words attributed to Marius (Jug., 85), completes the portraiture.

<sup>2</sup> "Duo genera semper in hac civitate fuerunt eorum, qui versari in republica.....studuerunt; quibus ex generibus alteri se popu-

lares, alteri optimates, et haberi et esse voluerunt." Cic., Pro Sext., 45.

<sup>3</sup> "Illæ undæ comitiorum, ut mare profundum et immensum, effervescunt quodam quasi aestu." Cic., Pro Planc., 6. See Ibid., 4, and Sall., Cat., 38.



uproars in the Forum betoken little industry or peace, as the mass of inferior freedmen, slaves, and aliens, whose names sufficiently indicate their circumstances, the higher classes alone need be examined. Throughout them all prevailed a frightful corruption, recognised in public as avarice or ambition, luxury or oppression, and in private assuming the shapes which haunt the heart more dreadfully than they can control the frame.<sup>1</sup> The closest bonds between man, woman, and child were weak, even with the comparatively virtuous, beneath the pressure of a world enveloped in such an atmosphere of wickedness. Some of the wrongs existing, open or concealed, might be judged natural to the age in which they grew and spread at Rome; but there were others that sprang from the midst of the conquests, or from the results wrought by the conquests, of the nation by which the earth had been subdued and plundered.

Great wealth, for instance, was the beginning of most authority or the object of most exertion with the conquerors, as it had been and might still be amongst the conquered; yet nowhere else beneath the sun could the manner of amassing riches<sup>2</sup> have

<sup>1</sup> Open Sallust's history of Catiline at almost any chapter,—5, 11, 13, 24,—to read these things in the words of one who beheld and shared them; or, to use Goldsmith's lines,—

“To see ten thousand baneful arts  
combined  
To pamper luxury and thin mankind;

To see each joy the sons of pleasure know

Extorted from his fellow-creature's woe.”

<sup>2</sup> “Ce ne furent pas leurs richesses,” says a late French writer in reference to the Romans, “qui les corrompirent : ce fut la manière dont ils se les étaient procurées.” Dunoyer, *Liberté du Travail*, Livre iv. ch. 4.



been so dismal to the weak, or the method of using and wasting treasures have been so fatal to the powerful. The illustration might be expanded; it might touch upon the poor man's taxes in the province, the rich man's luxury in his villa<sup>1</sup> or his Roman palace, the tumult of the Forum where riot was paid and murder entitled to a life-long opulence; but the bare outline is, in such a case, sufficient for the finished picture. If anything be yet needed, the canvas must be turned, and the decrease of wealth, even where it seemed increasing, will be discovered to have been as sure as it was retributive. While the means of consumption were daily multiplying, the means of production were almost hourly dwindling; and so far as the city itself was concerned, the gladiator or the usurer was surer of employment than the labourer or the artisan. The toils of the provinces were the only sources of supply to the indulgences<sup>2</sup> of Rome.

The sword had been thrust deeper into the vitals of Italy. Many of her people would be driven to the same desperation that possessed the inhabitants of

<sup>1</sup> "They have their change of houses, manors, lordships; We scarce a fire or a poor household Lar," &c.

BEN JONSON'S *Catiline*,  
act. I. sc. 2.

This is the contrast; but for the sake of seeing one side, or rather a fragment of one side, the reader may be referred to Becker's *Gallus*, scene v.: "The Villa." Even Cicero owned ten of these sump-

tuous residences. See Middleton's *Life*, p. 294, Moxon's edit.

<sup>2</sup> "Corn from Sardinia, herds of Calabrian cattle, meadows through which pleasant Liris glides, silks from Tyrus, and golden chalices to drown my health in," which Bishop Jeremy Taylor reprehends (*Holy Living*, ch. II. sect. 6) as "instruments of vanity or sin," would be but the beginning of the Roman's riches.



Norba, a Roman colony in Latium, when they set fire to their town and destroyed their scanty stores rather than be betrayed into the hands of Sulla's soldiers.<sup>1</sup> The colonies of the victorious legions brought evils worse than treachery or conflagration into the lands assigned them ; nor is there need of any detail to bring before the eyes that care to see such things the wrongs committed by soldiers who came from rapine in Asia and slaughter in Rome to live in unrestrained licentiousness amongst the country towns.<sup>2</sup> Few of the better classes could have endured through the civil wars ; and besides the rough herdsmen of the mountains or the dispirited people of the cities, the rest, whether rich or poor, liked the excitement of the metropolis too well to linger about their wasted homes.

Abroad in the provinces, whose frontiers were marked by lines of Roman spears,<sup>3</sup> the devastation of these tremendous years was not materially spread by the civil war or the despotism from which their mistress suffered. The rise and fall of successive leaders at Rome might, at some moments, add to the demands upon the subject countries for troops or for supplies ; but at other times, undoubtedly, the provinces would be left in comparative tranquillity, for-

<sup>1</sup> Οἷδε μὲν οὕτως ἐγκρατῶς ἀπέθανον, "And they thus bravely died," says the Greek historian. App., Bell. Civ., i. 94.

<sup>2</sup> In many cases they had towns of their own ; witness the Bovianum Undecumanorum of the eleventh legion. Plin., Nat. Hist., iii. 17.

Sallust describes, in one sentence, the harpies whom Sulla let loose :—"Igitur hi milites, postquam victoriam adepti sunt, nihil reliqui victis fecere." Cat., 11.

<sup>3</sup> "Iidem fines provinciæ fuerint qui gladiatorum atque pilorum." Cic., In Pis., 16.



gotten amidst the convulsions in which Marius died and Sulla seemed to disappear. Spain, however, became the scene of a peculiar history, to which we shall presently recur.

The neighbouring world that lay beyond the Roman provinces is represented under nearly all its different aspects in the single person of the last champion whom it obtained before the Christian era. Mithridates, the king of Pontus, whom Sulla checked, but did not stay to humble, was called by Cicero "the greatest monarch after Alexander."<sup>1</sup> The qualities and attainments natural to the latest century of heathenism, and to the regions not yet reduced beneath the Roman sway, could not have been more singularly combined in any living man. His active frame was hardened not only by exercise in arms and the chase, but by antidotes to poison, a common drink, it might be called in those Oriental lands. His equally active mind was provided with much of the learning of the Greeks, besides being practised in what to him was the far more useful knowledge of the two-and-twenty languages<sup>2</sup> of his various subjects. He knew how to be cruel, crafty, and ambitious; and as the West was in stronger hands than his then were, he turned to the East and the North, in the hope of dominion there, and perhaps, when they were gained, of conquest upon Western territory. The alarm was taken on the part of the Romans; and after some

<sup>1</sup> Acad. Pr., lib. II. 1. Cf. the description by Vell. Paternulus, II. 18.

<sup>2</sup> Val. Max., VIII. 7, 16. Ext. Plin., Nat. Hist., VII. 24.



provocations from them and concessions from him, the war began between the Commonwealth and Mithridates. It continued with great ferocity<sup>1</sup> on either side, until the peace obtained by Sulla;<sup>2</sup> but a year or two were hardly gone, when hostilities broke out afresh, though they were soon again suspended. At the time of Sulla's death, the Eastern King, though baffled in his designs of extensive sovereignty, still stood undaunted against the wolfish spirit,<sup>3</sup> as he is said to have styled the voracity of his foes for wider realms. It was from future as from past campaigns against Mithridates that more than one of the generals despatched to conquer him returned with bolder ambition amongst their countrymen.

It may be plainer, after this rapid observation of the Commonwealth, as it was without and within, to read how the dominion of Sulla could endure beyond his death, and how its ruins furnished the materials of subsequent despotisms.

The first revolt against the power left by the late Dictator occurred so soon as at his funeral, which Marcus Æmilius Lepidus, then in the consulship,

<sup>1</sup> It was signalised, near its beginning, by the murder of one hundred and fifty thousand Romans, according to Plutarch's numbers (Sull., 24), that is, Romans and Italians, publicans, traders, residents, and even, if Appian (Bell. Mithrid., 23) be right, freedmen and slaves of the same blood, in the cities of Asia, at the command of Mithridates. This was in the

winter of A. C. 88, 87, after Mithridates had been thirty years on the throne.

<sup>2</sup> Note I. p. 346.

<sup>3</sup> "Omnem illum populum," so runs Justin's account, "luporum animos inexplebiles sanguinis atque imperii, divitiarumque avidos ac jejunos habere." XXXVIII. 6.



attempted to prevent from being celebrated at Rome.<sup>1</sup> Lepidus, a man of small estimation with any class,<sup>2</sup> was married to a daughter of Appuleius Saturninus, whose factious life may have been a pattern to his son-in-law. But Lepidus, though in the first office under the constitution of Sulla, was totally unqualified to run the race on which he started. His proposal to repeal the laws of the Dictator,<sup>3</sup> and his invitation to the mass of the Italians to obtain the recovery of their rights and lands,<sup>4</sup> were equally futile; and although he received the support of the soldiers, whose command devolved upon him as Proconsul in the following year,<sup>5</sup> he was literally without any other partisans besides his abettor, Junius Brutus,<sup>6</sup> then in command of Cisalpine Gaul, and a band of sorry followers collected in Etruria. He marched, without awaiting Brutus, against the city, but was easily defeated, near the Campus Martius,<sup>7</sup> by his recent colleague, Catulus, and Pompey, who had formerly been his patron.<sup>8</sup> Not long afterwards he died in Sardinia, having done nothing more than add to the disturbance and the anxiety of his times.<sup>9</sup>

<sup>1</sup> "Fax illius motus ab ipso Sullæ rogo exarsit." Flor., III. 23. App., Bell. Civ., I. 105.

<sup>2</sup> He had been a bad Prætor in Sicily (Cic., In Verr., act II., III. 91) and a faithless partisan of Sulla. Sall., Frag. Hist., lib. I.

<sup>3</sup> Liv., Epit., xc. See the doubtful oration of Lepidus in Sallust., *loc. cit.*

<sup>4</sup> App., Bell. Civ., I. 107.

<sup>5</sup> A. C. 77.

<sup>6</sup> He was the father of the conspirator.

<sup>7</sup> App., Bell. Civ., I. 107.

<sup>8</sup> And had upheld him against Sulla. Plut., Sull., 34; Pomp., 15. Catulus was the son of Marius's colleague.

<sup>9</sup> "Hoc bellum ut ignis in stipula eadem celeritate qua exarsit, evanuit." Oros., v. 22. Cf. Cic., In Cat., III. 10; Flor., III. 23.



A far different venture was made in Spain, by Quintus Sertorius, already mentioned as the best of the party opposed to Sulla. Born of a respectable family in one of the ancient Sabine towns, high up amongst the Apennines, he had spent his youth partly in the hardy exercises of his rough neighbours, but chiefly, as it pleasantly appears, under the milder influences of his mother Rhea, his early teacher and his constant friend. Tenderness, sometimes feminine, and severity, sometimes cruel, were thus, perhaps, blended in his youthful disposition, as they appeared in the actions of his maturer years. He began life as an advocate or orator<sup>1</sup> amongst his townsmen; but, on being called to the armies at apparently an early age, he adopted the fiercer vocation of a soldier, and rose, through various posts, to the prætorship. It was in this office, or in its continuation, the pro-prætorship, that he went to Spain, in the year<sup>2</sup> which witnessed the defeat of his fellow-partisans, with whom he himself had never been on easy terms. Obligated, almost immediately, to withdraw before the superior forces sent against him by the Dictator, Sertorius crossed the sea to Africa, and appeared for some months or years to be no better than a mercenary leader with the strangers amongst whom he wandered. He talked, it is reported, of sailing farther, to the Atlantic islands, where, as his biographer<sup>3</sup> says, a rest from tyranny and ceaseless

<sup>1</sup> Plut., Sert., 2. Cic., Brut., 48.

<sup>2</sup> A. C. 82.

<sup>3</sup> Plut., Sert., 9. The islands were, perhaps, the beautiful and grand Madeiras. See Ibid., 8.



wars might be procured. But when the Lusitanians sent for him to be their chieftain against the Roman forces in Spain, the spirit of the warrior revived. He hastened to obey their summons, and to turn their obedience to his earlier purpose of founding a second Commonwealth in the peninsula, where the change of atmosphere or soil might favour the revival of the virtues that had withered at Rome.

It was no youthful frenzy that begot the scheme. Sertorius was a man past five-and-forty, whose bodily wounds bore the same witness to those who saw him, that those who read his history find in his projects and disappointments, of experience and courageous services. He established himself at the city of Osca, the modern Huesca, not far from the Pyrenees ; and there he formed a Senate of some who had been Senators at Rome, and of others who had followed him into exile ;<sup>1</sup> while, for his Spanish allies, whom he would admit to no places of authority, he instituted a school, in which the youths of highest birth amongst them were to be educated for future employment, and, as is probable, for future elevation. The exclusion of the Spaniards from seats in the Senate or eminent posts in the army did not, it would seem, detract from the confiding admiration with which they regarded their chieftain, foremost as he was in battle, most humane in victory, and at all times most observant of the superstitions<sup>2</sup> to which they themselves were especially sensitive. Sertorius never forgot he

<sup>1</sup> App., Bell. Civ., i. 108 ; Bell. Mithrid., 68. Plut., Sert., 22.

<sup>2</sup> See the story of the white fawn in Plut., Sert., 11, 20.



was a Roman ; he would rather, he said, be the poorest citizen in his own country than an exile, though every other country were under his dominion ; and the sole object of this Commonwealth in Spain was to rear the broken shoots of Roman law and Roman patriotism, so that they might be transplanted back to the seven hills.<sup>1</sup> It is the heart of the man rather than the spirit of the citizen, whose fidelity is more touchingly revealed in the grief he shewed on receiving the news of his mother's death, when he hid himself in his tent for seven days, and had nearly died, as the sympathising biographer writes, of sorrow.<sup>2</sup>

These feelings, however, were to be cherished, and these projects were to be upheld, in the midst of warfare. Eight years<sup>3</sup> the troops of Sertorius withstood the forces sent from Rome ; Metellus Pius and Pompey, besides many other commanders, were defeated ; and at one time he was strong enough to have marched upon Italy. But while the patriotism of Sertorius remained too steadfast to permit the invasion of his country, his other virtues were corroded, as if by the contact of arms. His generals proved incompetent ; his soldiers grew turbulent and were corrupted ; and though the Spaniards appear to have

<sup>1</sup> The spirit with which the negotiations with Mithridates were conducted is the most signal proof of his resolution to cleave to Rome. Plut., Sert., 23, 24. App., Bell. Mithrid., 68.

<sup>2</sup> Plut., Sert., 22.

<sup>3</sup> From A. C. 80 to 72. The account of the campaigns may be read in Liv., Epit., xc. to xciv. and xcvi. ; App., Bell. Civ., i. 108—114 ; Ibid., De Reb. Hisp., 101 ; and Flor., III. 22.



continued faithful, he became suspicious even of them, and cruel towards all by whom he was surrounded.<sup>1</sup> Nevertheless, the Romans were driven from every field in which Sertorius personally encountered them; and it was not until his murder by some of his own officers,<sup>2</sup> that the armies of his countrymen triumphed, and his Commonwealth in Spain vanished from the earth. Spain itself was again wasted and chained.<sup>3</sup>

The war with Sertorius was not yet terminated, when another conflict — excited, however, against the dominion of Rome, not of Sulla alone — broke out in Italy. Some seventy-eight gladiators, determined to fight for their own freedom<sup>4</sup> rather than for the entertainment of their masters, escaping from the quarters in which they were confined at Capua, and arming themselves with spits and knives from a kitchen,<sup>5</sup> were soon joined by thousands suffering from bondage, and by many tormented with poverty in the country round. Such weapons as could be seized or made<sup>6</sup> were used against the Roman troops despatched in pursuit of them, and against the cities which they on their part assailed, with such effect, that the miseries of the bruised and the afflicted were

<sup>1</sup> Plut., Sert., 25. App., Bell. Civ., i. 102.

<sup>2</sup> Plut., Sert., 26.

<sup>3</sup> "Omnes pæne Hispaniæ occasione belli Sertoriani per Metellum et Pompeium in ditionem nostram acceptæ; postea.....a Pompeio perdomitæ sunt." Sextus Rufus, Brev., 5. (A "Breviary" of Ro-

man history composed by an unknown author, at the command of the Emperor Valens.)

<sup>4</sup> A. C. 73. App., Bell. Civ., i. 116.

<sup>5</sup> Plut., Crass., 8.

<sup>6</sup> Flor., III. 20. App., Bell. Civ., i. 116.



fearfully avenged. The host, increasing through that and the following year to nearly a hundred thousand, slaves and freemen, in arms, dared to prepare, at last, for marching upon Rome.

The success of this wild insurrection is to be explained only by the character of its leader, Spartacus.<sup>1</sup> A Thracian by birth, he had been enlisted in a troop raised from the Roman armies, from which, offended or restless, he deserted; but being recaptured, he was sold for a gladiator,<sup>2</sup> whose strength and temper would make rare sport at some Roman games. He it was who urged his companions to fly from Capua, and who, being acknowledged as their chief, compelled them and the disorderly array by which they were joined to submit to the discipline that insured their triumph, when under his command,<sup>3</sup> against the generals and the armies sent to hunt them down. But though Spartacus decked himself with the insignia of a Prætor whom he defeated, and led his fellows impetuous to battle, he soon began to urge their crossing the Alps, in order to seek their distant homes,<sup>4</sup> before the foe, over whom they could not long prevail, should take revenge upon them for their deeds. At his persuasion, they marched northwards; but the victories they continued to gain were not outweighed, as with their leader, by the memory of home or the love of quieter

<sup>1</sup> See Plut., Crass., 8.

<sup>2</sup> App., Bell. Civ., i. 116. Flor., iii. 20.

<sup>3</sup> Of course there were other leaders. Cnœmaus and Crixus,

both Gauls, the next to Spartacus, were both slain before him. Oros., v. 24; App., Bell. Civ., i. 116.

<sup>4</sup> Plut., Crass., 9.



life ; and as he could not forsake, or was, perhaps, too closely watched to desert, his followers, he turned back with them to defeat and death.<sup>1</sup> The insurrection had been sustained about two years.

The condition of Rome itself was so wasted and miserable at the time of Sulla's decease, that the first outbreaks against his dominion were naturally made abroad or in arms. But as years went by, and the Romans recovered from their terrors, the free spirit of their fathers began to breathe again more generally, though it could be vented, at first, only in murmurs. A Tribune, Cneius Sicinius, attempted, two years after the death of the Dictator, to restore the dignity of the office he occupied, by assailing the faction which approved its degradation.<sup>2</sup> A Consul of the next year, Aurelius Cotta, cleared the tribunate from the stigma of ineligibility to other offices ;<sup>3</sup> but the support of this measure cost Quintus Opimius, one of the Tribunes, dear at a trial to which he was soon afterwards held.<sup>4</sup> Two years later, a distribution of corn at certain prices was commanded by the Consuls, in order to allay the existing tumults<sup>5</sup> and give the populace a proof that the freedom they liked best, that of largesses, was not yet departed. The

<sup>1</sup> A. C. 71. Plut., Crass., 11. Liv., Epit., xcvi. App., Bell. Civ., i. 120. Flor., iii. 20. Crassus Dives, the only man in Rome, Pompey being absent, who would accept the command against Spartacus, was his victor.

<sup>2</sup> A. C. 76. Plut., Crass., 7. His example was followed by L.

Quintius, two years afterwards. Plut., Lucull., 5. Orat. Lic. Mac., ap. Sall., Hist., lib. iii.

<sup>3</sup> A. C. 75. Cic., Pro C. Corn., i., with Asconius's Commentary.

<sup>4</sup> Sall., *loc. cit.*, Hist. iii. Cic., In Verr., act. ii., i. 60.

<sup>5</sup> A. C. 73. Sall., *loc. cit.*, Hist., iii.



Tribunes of the following year aimed higher, with a law to prevent all men condemned for capital crimes from being suffered to remain in the city.<sup>1</sup> And the efforts of still another Tribune, Lollius Palicanus, in the year of Spartacus's defeat, to recover the tribunitian rights,<sup>2</sup> were fair enough, perhaps, to prove that there was still some liberty in Rome.

<sup>1</sup> A. C. 72. Freinshem., *in loc.*  
Liv., xcvi. 37.

<sup>2</sup> A. C. 71. Ascon., in Cic., In  
Verr., act II., i. 15, 47. App.  
Bell. Civ., i. 121.



## CHAPTER V.

## POMPEY :

## RESORT TO ONE.

“ But whereas, in common and ordinary wickedness, this unreasonableness, this partiality and selfishness, relates only, or chiefly, to the temper and passions ; in the characters we are now considering, it reaches to the understanding and influences the very judgment. — BISHOP BUTLER, *Sermon x.*

A REASON not yet touched upon would alone explain the endurance of Sulla's sovereignty beyond his own lifetime, in the hands of his adherents and successors. After years of anarchy and bloodshed, the one dread uppermost at Rome was that of a fresh revolution ; and there could have been no faction or government so oppressive as to make the majority of the citizens, properly speaking, desirous of its overthrow at the expense of the small tranquillity that had been established. A few, perhaps more than a few, eminent men had inclined towards the cause of Sertorius, whom they knew to be the best of all their own generation, whether they sought him for his virtue or on account of the authority he was likely to acquire. But the correspondence they began with him resulted in nothing besides a pile of letters, which Pompey, with noble decision, refused to open



amongst the papers of his murdered enemy.<sup>1</sup> He, too, would rather have quieted old resentments than given rise to new suspicions or hostilities; not only because he was a member, nay, the leader, of the party then in power, whose superiority seemed to depend upon public peace, but because the desire for order and reconciliation was universal. Any evil doings, indeed, of the dominant faction would be more easily discoverable and more effectively assailable in the midst of tranquillity, or after it had a little while continued, than through any instant commotions. Yet, on the other hand, it was no solitary or collected purposes of some future revolution, more rapidly to be matured in general peace than in general turbulence, that made the citizens of the prostrate parties anxious to have peace endure. The worse, in truth, the state of things,<sup>2</sup> the less did it seem that they could be changed or purified.

No name was now so often sounded in the thoroughfares or quiet chambers of the Romans as that of Pompey, on his return from Spain, after an absence of five years.<sup>3</sup> The Senate, who had consented to all his honours, though he was yet so young, because they considered him almost as one of themselves, trusted in him that he would be their champion and the successor of the Dictator, whose memory they had hitherto obeyed. The Knights, to whom he belonged by birth, looked up to him as the leader

<sup>1</sup> Plut., Sert., 27.

this very time, in his *Divin.* in Q. Cæc., 3 *et seq.*

<sup>2</sup> See Cicero's sketches, taken at

<sup>3</sup> A. C. 76—71.



who should restore them to the places they had not yet recovered since Sulla's triumph. These expectations of the upper orders, together with the thousand reports everywhere in circulation among the masses of the people, were the means by which Pompey was raised, without the need of vaulting or the fear of falling, up to the highest authority in Rome. The free citizens of the Commonwealth were trained beforehand to resort to a single man, either to make him their ruler or claim him for their champion, according to their apparent needs.

Pompey possessed many natural and some acquired pretensions to this place of champion or ruler amongst his countrymen. Although devoid of the highest faculties of mind, he was preeminently endowed with the most impressive graces of demeanour.<sup>1</sup> His popularity, using the word literally, was the fruit of the daily affability that shone round about him; and there was an air of aspiration, so to speak, in his gait and eye and voice, which commanded admiration, at the same time that the amiability of his presence attracted love. To men of nearly his own standing, however, he wore a different look, sometimes because he chose, but oftener because he was inadvertently led, in both cases by his vanity, to offend them. He took to himself, for instance, the entire credit of the victory over Sertorius, and, with still greater preposterousness, assumed the merit over the real conqueror, Crassus, of having ended the war with Spartacus.<sup>2</sup>

<sup>1</sup> Plut., Pomp., 2. At the time of the present narrative, he was thirty-five years old.

<sup>2</sup> Plut., Crass., 11 ; Pomp., 21.



Yet Marcus Licinius Crassus Dives, to give him his name in full, was one of the very foremost of Pompey's present contemporaries. He not only belonged to a distinguished house, but possessed undeniable claims to present distinction, in consequence both of his afflictions under Marius and Cinna, and of the rich harvest he had latterly reaped from the favours and proscriptions of Sulla. Over a depth of intrigue and covetousness within him was spread a fairer surface of liberality and cordiality, on which his popularity and wealth were long supported. Another of Sulla's inheritors was his favourite and able partisan, Lucius Licinius Lucullus, in whom a higher statesmanship and intellectual power than were then common, even to the ablest men, would have merited superior fame to that which he obtained in warfare,<sup>1</sup> had they not been wasted in his overpowering prodigality. The want of system in Lucullus, and the want of ability in Crassus, increased the void which Pompey, though younger than either,<sup>2</sup> was prepared to fill.

On the last day of the year in which Pompey returned from Spain, his second triumph was celebrated, in the midst of universal rejoicing. Immediately afterwards, he entered upon his first consulship, to which he not only obtained his own election, in violation of the law which Sulla had left concerning previous occupation of the prætorship and quæstorship, but like-

<sup>1</sup> In which he was now engaged against Mithridates. See notes 4 and 5, p. 393 and text.

<sup>2</sup> Crassus was born in or before

the year A. C. 115. Lucullus was some years younger. Plut., Crass., 8, 17; Lucull., 36; Pomp., 31.



wise procured the elevation of Crassus, who stooped to sue for his protection in the canvass.<sup>1</sup> The power of the office remained with Pompey, and it is to him, directly or indirectly, that the proceedings of the year<sup>2</sup> are to be ascribed.

If we do not err in our estimate of Pompey's character, the impulse which led him to propose or to favour changes in the lately established constitution was, neither a strong conviction of their particular necessity nor a roving inclination to any general reform, but the determination, already evinced in his canvass for the consulship, to prove his independence of the dominion that had so long survived its founder.

In this view, he projected the restoration of the tribunate, mere shadow<sup>3</sup> as it had been made by Sulla, to its ancient fulness of form ; and though the Senate opposed the measure, the support of the Knights and the acclamations of the Tribes gave it hearty greeting. To the pride of Pompey, and to the joy of nearly all the Commonwealth, the Tribunes of the Plebeians, as they were still called, received the rights of rogation and intercession that had been in the keeping of their predecessors.<sup>3</sup> It is almost superfluous to intimate that the men to whom these powers were now committed bore no resemblance in general to the Tribunes of ancient days.

The title that Pompey intended to wear, as the first

<sup>1</sup> Plut., Pomp., 30 ; Crass., 12.

<sup>2</sup> A. C. 70.

<sup>3</sup> "Tribunitiam potestatem.....

cujus Sulla imaginem sine re reliquerat." Vell. Pat., II. 30.

<sup>3</sup> Liv., Epit., xcvii.



citizen, if no more, of Rome, was tarnished by the avarice and the cruelty of the Senators who sat upon the judicial tribunals according to the law of the Dictator. A man, named Verres, lately Prætor of Sicily for three years, who had been often heard to say that one year of his government was for himself, another for his advocates, and a third for his judges, was impeached by Cicero for vile oppression of his province. "In this trial," exclaimed the warm-hearted orator to the Senators before whom he spoke, "ye will judge the culprit, and the people will judge you.<sup>1</sup> . . . . Or it will come to pass," he urged, "that embassies will arrive from our subjects to entreat the repeal of the laws against extortion, on the plea that they are able to satisfy their governors, but that to gorge the judges of their governors is impossible."<sup>2</sup> The reform reclaimed in the judiciary was needed, as Cicero knew, throughout the entire system of administration; and the words we have read are to be taken in connection with the law authorised, though not brought forward, by Pompey, if we would comprehend how much was done and how much was left undone in the reaction he led against the system of his former sovereign. After the plan, before mentioned,<sup>3</sup> of the Tribune Plautius, concerning the union

<sup>1</sup> In Verr., act. i. 16.

<sup>2</sup> Ibid., 14. See Sect. 1 and 15, likewise. The bitter invectives against Verres, whose prætorship in Sicily extended from A. C. 73 to 71, must rather be read as if they had been directed against all in

similar authority during his corrupted times. He was supported by them, yet he was obliged to fly before the evidence in his prosecution was concluded.

<sup>3</sup> At the beginning of the preceding chapter, p. 335.



of different classes in the judiciary, the Prætor Aurelius Cotta proposed a bill to appoint the judges from the Senators and Knights promiscuously, together with the Ærarian Tribunes, who, as paymasters of the armies, might represent the lower orders at the tribunals.<sup>1</sup> The bill, of course, became a law.

The revival of the censorship, after a suspension of several years, was another event of the same consulate. Some sixty Senators were degraded on account of their rapacity or dishonesty,<sup>2</sup> to which none could be more opposed than Pompey; and had the faults in which he shared been similarly sentenced, the Censors might have held their offices with some advantage. It soon seemed proved for what purpose they had been elected, when the Knights were ordered, according to ancient custom, to pass before them in review. In the procession, as it descended into the Forum, came Pompey himself, surrounded by lictors and arrayed in the consular robes, yet leading his horse like any other Knight that walked before or after him. As he drew nearer to the tribunal on which the Censors sat in solemn state, he bade his lictors stay, while he advanced alone, still leading his horse, to be inspected by the magistrates in proper form. The people looked on in silent wonder; but when they heard their hero reply to the interrogatories of the elder Censor, that he had served all the campaigns exacted by the law under his own com-

<sup>1</sup> Liv., Epit., xcvi. Cic., In Verr., act. II., III. 96.

rum nomine." Cic., Pro Cluent., 42. Liv., Epit., xcvi.

<sup>2</sup> "Furti et captarum pecunia-



mand, the shouts of the multitude declared their delight, while the Censors themselves arose to conduct the Knight and the Consul home.<sup>1</sup>

Pompey's temper appears to have changed before the deference<sup>2</sup> and the adulation he received. He was no longer so affable,<sup>3</sup> no longer so ready simply to take, without any marked earnestness to seek, new honours; and yet he seemed to have become more modest when he laid down his office at the expiration of the year, and, dismissing his army, refused the government of a province, as if he were weary of authority. There is, however, no actual contradiction between the testimonies which remain concerning him; and it was because he knew himself to be in command of Rome, that he at once appeared to exact more and to accept less from his submissive countrymen. It could scarcely be called retirement to which he for a season withdrew.

The tendency of most men in Rome to indolence and revelry was in perfect harmony with the superiority of a single citizen. Two or three years, during which Pompey held no office, although he never appeared in public without a numerous train<sup>4</sup> of friends or fawners, passed by in that tranquillity which proves, whatever be its nature, that a people have found their deserts or their desires. With the exception of an effort, apparently<sup>5</sup> successful, to

<sup>1</sup> Plut., Pomp., 22.

<sup>2</sup> Of which another striking instance may be observed in the conduct of Crassus, who, after some opposition to his colleague, humbly

sought a reconciliation. Plut., Pomp., 23; Crass., 12.

<sup>3</sup> Plut., Pomp., 23.

<sup>4</sup> Ibid.

<sup>5</sup> Incidentally mentioned in an



recall the exiles of Sulla and his partisans, there is nothing to record of this immediate period besides the tribunate and the laws of Caius Cornelius.<sup>1</sup> He had at some time served in the near office of Quæstor under Pompey, and though he may now have acted from his own ideas, he was undoubtedly strong in the approval of his former general. The Cornelian laws, the work of his tribuneship, were several in number. One, directed against bribery at elections, was taken out of the Tribune's hands, perhaps lest it should be too severe upon a crowd of offenders, by the Consuls of the year, and passed, with heavy penalties,<sup>2</sup> under their name. The other bills were intended to bind the Prætors by their own edicts,<sup>3</sup> to prevent usurious dealings with foreign envoys,<sup>4</sup> and, finally, to make the exemption of any individual from the public statutes dependent upon the votes of the whole people.<sup>5</sup> The last bill, which promised to interfere too much with the illegal privileges of the Senators and the higher magistrates, was most opposed; and one of the Tribunes was induced to prevent its recital by the scribe in the assembly. Cornelius himself read it aloud; but the great tumult that ensued so proved the impossibility of carrying the bill in its actual

individual instance. Suet., C. J. Cæs., 5. Aul. Gell., XIII. 3. It is possible that its author was the same Plautius Silvanus whose efforts at an earlier season have been repeatedly alluded to.

<sup>1</sup> A. C. 67.

<sup>2</sup> "Severissime scripta." Cic.,

Pro Murena, 23; Pro Corn., 1. Dion Cass., xxxvi. 21.

<sup>3</sup> Ascon., Argum. in Orat. pro Corn. Dion Cass., xxxvi. 22, 23.

<sup>4</sup> Ibid.

<sup>5</sup> Ibid.



form, that it was exchanged by its author for another bill, authorising the Senate, but not unless two hundred members were present, to pass their acts of exemption as before. The bill concerning usury also failed; but that relating to the edicts of the Prætors, the most important of all the laws,<sup>1</sup> was carried. Cornelius was afterwards brought to trial by the same men, as is probable, who had defeated his bills; and though he was defended by Cicero and acquitted by his judges, the persecution he underwent exposes the growing pretensions of the Senate in the Commonwealth.

Nor must it be imagined, from the tenor of the preceding relations, that there were no other individuals besides Pompey himself to fill the eyes or control the movements of the Roman people. His example instructed others to aspire, few as they were, compared with the multitude who learned more simply to submit; and though the strife between him who has already risen and those that already strive to rise will not immediately begin, it is immediately to be foreseen.

Caius Julius Cæsar, the youth whom Sulla could not bend, was now a man of over thirty years. After service in the Eastern wars and studies in the schools of Rhodes, as well as impeachments of public men and successful canvasses for public offices at home,

<sup>1</sup> On this see Hugo's Hist. Rom. Law, Sect. cclxxxviii. The Prætor's Edictum was the collection of legal principles or rules, which he published at the beginning of his

year, nominally both for his own government and for the instruction of those who should have suits to bring before him.



he at this time<sup>1</sup> obtained a quæstorship. During the term of this magistracy, his aunt, Julia, the widow of Marius, died, and at her obsequies the Quæstor not only ordered the images of her husband, which had hitherto been concealed, to be displayed, but, in the funeral oration delivered by himself in the Forum, he evoked the memories of the fallen, and crowned them anew with ardent praise.<sup>2</sup> Some of his hearers trembled at his boldness, or scoffed at his eulogy of a man who had laid Rome waste with blood ; but others, in whose recollections, under the influence of time and intervening misfortunes, the evil deeds of Marius had given place to the brilliancy of his victories or to the courage of his popular principles, exulted in Cæsar's eloquence and rallied round him as the successor of their hero. Yet it was not Cæsar's purpose, though it may have been theirs, to enter into any present contention with Pompey or the aristocracy ; and in the very year after Julia's funeral, he espoused a kinswoman of Pompey<sup>3</sup> and was more firmly than ever his nominal supporter.

Cicero, the accuser of Chrysogonus and Verres, was already first amongst the orators of Rome. Soon after his brave defiance, as it might be called, of Sulla, he travelled to Greece, in order to improve his enfeebled health and to learn from the famous philosophers and rhetoricians there the art and the knowledge he still required before fulfilling the uncommon purposes upon which he was from his youth resolved.

<sup>1</sup> A. C. 68. Suet., Cæs., 5.

<sup>3</sup> Suet., Cæs., 6.

<sup>2</sup> Plut., Cæs., 5.



Almost immediately after his return, he was elected Quæstor ; and some time later, he attacked the powerful in the person of Verres, in the same year that he was himself elected Curule Ædile.<sup>1</sup> These tokens of public favour, to be properly appreciated, must be set off against his birth in a country town, his want of family and powerful friends, and even against his lack of personal attractions in the eyes of the multitude. Yet the people whom he governed during his quæstorship in Sicily continued for years to shew their grateful remembrance of his humanity ;<sup>2</sup> and if there were few in Rome to feel his virtues, there was scarcely one of the ardent and noisy citizens who would not hurry into the Forum to witness his genius, as it made the guilty tremble and saved the weak from impending fears. Cicero and Pompey were drawn together by an attraction that would certainly never have arisen from any similarity in pursuits or achievements, but which existed naturally in consequence of common amiability, and, it may be added, of kindred failings. The hero was warm in seeking the good-will of the orator ; and the orator was as earnest in upholding the good report and the authority of the hero.<sup>3</sup>

It is adequate to this history that a few names only should represent the decay of liberty during the present period ; nor is there any reason to regret our inability to follow every individual who had a

<sup>1</sup> The quæstorship was in A. C. 75 ; the ædileship in 69. See Plut., Cic., 4 *et seq.*

<sup>2</sup> Plut., Cic., 8.

<sup>3</sup> Ibid.



part in the process of corruption and submission throughout the world of Rome. Some groups, however, must from time to time be sketched, of parties forming, struggling, or disappearing; and yet of these the names can be employed only as illustrations, rather than as subjects in themselves. While such as Cicero and Cæsar were professed adherents of the great and now the somewhat haughty Pompey, and such as Crassus and Lucullus could not yet be regarded as his adversaries, a party was beginning to appear in the Senate of those who were determined to regain their lost ascendancy,—as Senators, however, rather than as individuals. Quintus Hortensius, the orator, and Lutatius Catulus, the colleague of Lepidus ten years before, were the first, apparently, to take the lead. Some joined themselves to Catulus for the sake of the ancient principles he was faithful in upholding; but more ranked with Hortensius, the defender of Verres, in seeking through all means the authority from which they were not indeed excluded, but of which they wished, as it were, to hold the keys for themselves. The majority of the Senate was thus united against the authority of Pompey, before his reappearance in public as is now to be described.

The claim of Pompey to precedence above his countrymen rested upon his desire and his ability to secure the order which has been remarked upon as their greatest necessity, from the time when the proscriptions of the dictatorship ceased. He retired, as we have also observed, from offices and titular honours, at the close of his consulate, because the establish-



ment of domestic tranquillity, such as it was, seemed to leave nothing undone on which his fame and his authority could then depend. A few years sufficed, not merely to weary him of private life, however powerful, but to open a new field to his exploits in the restoration of order beyond the limits of the city and the factions of the citizens of Rome.

A band of pirates, so numerous as to man a thousand ships, and so various as to be partly composed of men well born and reputably educated, was in possession of nearly the entire Mediterranean. More than ten years had been wasted in expeditions against them; while they were covering the shores with beacons or strongholds, plundering, "over four hundred cities," and making their descents upon Caieta, Ostia, and even the Appian Way; so that, at last, a journey by land was as unsafe as a voyage by sea, and they who remained at home were deprived of their necessary supplies of merchandise, clothing, and food from foreign lands.<sup>1</sup> It was suddenly rumoured that Pompey was willing to take command of an armament against the freebooters, provided it should be properly equipped and he himself should be unrestrictedly commissioned. On the moment, one Aulus Gabinius, a Tribune, whose youth and manhood had been spent in profligacy, urged by the hope of reward from the hero or from the excited people, brought forward a bill proposing the election of a commander with absolute authority for three years over the whole

<sup>1</sup> Plut., Pomp., 24, 25. Dion Bell. Mithr., 92 *et seq.* Flor., III. Cass., xxxvi. 3 *et seq.* App., 6. Cic., Pro Leg. Man., 11 *et seq.*



sea and all its coasts for fifty miles inland, with officers, soldiers, seamen, and supplies according to his own demands, and a fleet of two hundred ships besides.<sup>1</sup> Against this extraordinary commission, which Cæsar and probably Cicero both approved,<sup>2</sup> the Senate,—applying the name to the majority of that body,—with some of the magistrates in office, alone appeared in opposition. The countries adjoining the coasts and the islands of the Mediterranean, held by the Senators or their fellow-members, were too precious in spoils and in services to themselves, to be surrendered even to the control of Pompey;<sup>3</sup> but though their resistance provoked the old tumults of the Forum, the bill was passed, and the only man, as Gabinius said,<sup>4</sup> to be found for the command, received it, with large additions to the supplies previously voted. Twenty-four Senators were taken as his lieutenants, besides two Quæstors; five thousand horse, one hundred and twenty thousand heavy-armed, and many thousand light-armed, troops were raised; and five hundred vessels in all were manned. The price of provisions instantly fell, on the appointment of Pompey; and he, after sweeping the seas, routed the pirates on shore within three short months from the time of his departure from Rome.<sup>5</sup> On the other hand, the interference, feared

<sup>1</sup> A. C. 67. Vell. Pat., II. 31. Plut. Pomp., 25.

<sup>2</sup> Plutarch (*loc. cit.*) speaks of Cæsar. Cicero, in his oration for the Manilian law, speaks for himself in relation to the Gabinian.

<sup>3</sup> See the reported harangue of

Catulus in Dion Cass., XXXVI. 14 *et seq.*, especially 16.

<sup>4</sup> Ibid., XXXVI. 10. Compare the anecdote concerning Catulus in Vell. Pat., II. 32.

<sup>5</sup> Plut., Pomp., 26—28.



by the Senate, soon came to pass in Crete, where Metellus, afterwards surnamed Creticus, was superseded by Pompey in the command of a war against the islanders; his triumph likewise being subsequently prevented by the partisans of his superior at home.<sup>1</sup> But there were no circumstances so untoward as to hinder the acknowledgment that the great commission against the pirates had been splendidly executed.<sup>2</sup>

Pompey's eyes were already fixed upon a new command, to which the overthrow of the pirates had been, perhaps, from the first, intended as an easy stepping-stone. A second war with Mithridates, beginning eight years previously,<sup>3</sup> had been prosecuted against the untiring monarch by Licinius Lucullus, whose skill and activity were so entirely neutralised by his inability to attach or to control his soldiers, that at the end of long and repeated campaigns it seemed as if the work of the day had been undone in the night time.<sup>4</sup> It was for Pompey, as he and most of his countrymen believed, to conclude the contest. Another Tribune, Caius Manilius, was found by the partisans of the absent hero to propose a bill transferring the military forces and operations in the East to the direction of Pompey, without his being deprived of the nearly unlimited authority he actually possessed.<sup>5</sup> The opposition on the part of the Senate

<sup>1</sup> Liv., Epit., xcix. Plut., Pomp., 29.

<sup>2</sup> Plut., *loc. cit.* App., Bell. Mithr., 97. Flor., III. 6. Cic., Pro Leg. Man., 19. 23.

<sup>3</sup> The war broke out A. C. 74. It was now the year 66.

<sup>4</sup> App., Bell. Mithr., 72—91. Plut., Lucull., 7—36. Vell. Pat., II. 33.

<sup>5</sup> Liv., Epit., c.



was renewed ; but Cicero, then in the prætorship, supported the bill with all the eloquence that submission to the great citizen or gratitude for his achievements could inspire ;<sup>1</sup> and the person of Pompey, as the historian remarks, was formally made the pivot of the Roman world.<sup>2</sup> We may leave him for the present in pursuit of victories.

And we no sooner turn from him to the condition of the Commonwealth he has left behind and beneath him, than we see, as plainly as though we were living there ourselves, that the great problem of establishing public order in the midst of decaying liberties has not yet been solved. One Tribune is engaged in passing a law, which is instantly repealed, to admit the freedmen promiscuously amongst the Tribes.<sup>3</sup> Another retorts with a statute to remove all aliens from the city, and to punish such as have unwarrantably assumed the rights of citizenship. Then appear two Consuls elect, charged with bribery so offensive that they are not only condemned, but displaced in office by their previously unsuccessful competitors. Yet deeper grows the gloom. The two culprits, joined by Lucius Sergius Catiline, a man

<sup>1</sup> See the glowing eulogy in Cic., *Pro Leg. Man.*, 14.

*Gesch. Roms*, vol. iv. pp. 401 *et seq.*

<sup>2</sup> " Converterat Cn. Pompeii persona totum in se terrarum orbem." *Vell. Pat.*, ii. 31. Cf. *Plut.*, *Pomp.*, 30. All the old writers (not contemporaries) remark upon the supremacy which Pompey now held. See Drumann's detailed account of the Gabinian and Manilian laws.

<sup>3</sup> A. C. 67 ; repealed 66. The same Tribune, Manilius, mentioned above. *Ascon.*, in Cic., *Pro Mil.*, 8. *Dion Cass.*, xxxvi. 25.

<sup>4</sup> A. C. 65. The Papian law, as it was called from its author. Cic., *De Off.*, iii. 11. *Dion Cass.*, xxxvii. 9.



whose name is like a household word for dissolute habits and ferocious passions, determine to murder the citizens elected in their stead ; and some higher personages, like Crassus and Cæsar, are suspected of having a part in the conspiracy.<sup>1</sup> When this has failed, without its investigation or its suppression having been proposed, the indignation of men like Porcius Cato returns against the assassins and the villains who have survived the days of Sulla in enjoyment of their sanguinary gains.<sup>2</sup> It is an ominous contradiction that we witness between the anxiety concerning evils of an older date and the apparent indifference towards those with which the present and the future are alike infested and endangered.

<sup>1</sup> End of A. c. 66 and beginning of 65. The condemned were Autronius Pætus and P. Corn. Sulla, the Dictator's nephew. They were accused by L. Manlius Torquatus, and displaced by his father and L. Aurel. Cotta, the same whose prætorship and law have been mentioned. Cic., *Pro Sull.*, 2,

3. 17, 18 ; *De Fin. Bon. et Mal.*, II. 19. As for the conspiracy and the manner in which it was hushed up, see *Liv.*, *Epit.*, ci. ; *Dion Cass.*, xxxvi. 27 ; *Suet.*, *Cæs.*, 9 ; *Sall.*, *Cat.*, 18.

<sup>2</sup> Cato was then (A. c. 65) Quæstor. *Plut.*, *Cat. Min.*, 17. *Dion Cass.*, xxxvii. 10.



## CHAPTER VI.

CICERO.

## RESORT TO UNION.

"There is in man's nature a secret inclination and motion towards love of others, which, if it be not spent upon some one or a few, doth naturally spread itself towards many, and maketh men become humane and charitable."—BACON, *Essays*, x.

"Obsecro, abjiciamus ista, et semiliberi saltem simus."—CICERO, *Epist. ad Atticum*, XIII. 31.

WHILE Cicero was in Greece, pursuing the studies in which he delighted far more than in the wars or the factions of Rome, he went, without much faith, to ask the oracle at Delphi how he might win the highest fame. The answer was returned, that he must follow his own nature rather than the opinions of the multitude.<sup>1</sup> It was at once the advantage and the disadvantage of Cicero, that the injunction of the oracle, whether it were really given, or merely imagined as a tradition of after years, was necessarily his only inspiration.

He lived in an age when human virtues were no longer generally trusted, and when human laws were no longer generally revered. The result of errors and crimes innumerable had been to leave men with-

<sup>1</sup> Plut., Cic., 5. Middleton discredits the story. Life of Cicero, sect. i. p. 15.



out commandments to make them humble, and without examples whereby they could be consoled. Each individual became to himself, as it were, the origin of precepts, duties, and mortal hopes ; and in this condition it depended upon the disposition innate in every man, whether he were to lead a life of comparative excellence or of downright villany. If it were Cicero's misfortune that he was compelled to doubt the virtues and the laws of Rome, so that he stood alone in sight of men he knew to be evil, and of deities whom he could not believe to be good, it was his happiness to have received from the God whom he would have rejoicingly adored a mind so able and a heart so warm, that it would have been well for him to have obeyed the voice at Delphi.

The love of humanity glimmered within him too feebly, indeed, to dissipate the obscurity of the relations between man and man, yet too fervently to leave him in the deep, unbroken darkness which encompassed his contemporaries. It was in their pursuits that he engaged ; but with peculiar purposes, that year by year expanded, until, at the present time, when he was entering upon middle life, he stood resolved to bind up the broken limbs of his country, and to disarm the hands still clenched and raised amongst his countrymen. It has been confessed beforehand, that we shall meet with failings, of which, however, the blame need not be imputed, as it often is, to him alone. And if another word be prefaced in exculpation of a life more frequently misjudged than any other in ancient history, let it



remind the reader of the nervous temperament and the physical infirmities under which Cicero suffered from youth to age. The thin figure, the small head, and the fiery eyes, all speak of morbid as well as eager feelings within.

The change from disorder to despotism in Rome is still the principal point for our attention. It has seemed, alike with Sulla and with Pompey, that the day was not far distant when the supremacy which, in their hands, was irregular and temporary, would become the more lasting possession of other men, and the more decisive ruin of the Commonwealth. A pause ensues with Cicero. Instead of a single ruler, occupying the foreground, there are masses, comparatively speaking, of citizens portrayed on one side or another, with whom the immediate cause at stake does not appear to have been submission or independence in respect to any individual, but rather the defence or the invasion of ancient laws, before the utter overthrow of which there could be no continuing despotism. This is, in fact, the crisis of our history. And in endeavouring to estimate it correctly, the uncertainties to which the minds of the leading men were exposed and the evils with which the whole society of Rome was infected are constantly to be remembered, though they have been but partially described.

Some, then, there were who, in the midst of fears and wrongs, still hoped, like Porcius Cato, that the free institutions of their progenitors would endure. He was the great-grandson of the Censor, whom he



resembled in his admiration of traditionary virtues, without his ancestor's bitterness against all the later changes in cultivation and wider knowledge. He served in various campaigns, the first being against Spartacus; he pleaded in various suits;<sup>1</sup> and he sustained the office of Quæstor<sup>2</sup> with great repute for zeal and honesty in all these undertakings; through which, besides, he might be tracked, as it were, by his ardent professions respecting the duties and the energies of former days. The love of the past in Cato was heightened by his want of attachment to those with whom he lived. The spirit which in the boy instinctively resisted Pompædus the Marsian, and afterwards condemned the tyranny of Sulla, expanded in the man, now thirty years of age, to a distrust of his fellow-beings; and though he was not unkind, he was unconfiding, and, to a great degree, isolated. He would walk in the streets with head and feet uncovered,<sup>3</sup> as if he liked to provoke remark; and it was from the same disposition that he was a severe officer to the soldiers he commanded and a rigid magistrate amongst the citizens he governed. But it had often been proved in Rome, before Cato's birth, that justice and public order were not to be maintained by harsh principles or repulsive manners.

The only one, besides his brother, who for a moment aroused the confidence of Cato was Cicero. To this humaner citizen, indeed, the eyes of many who clung to the laws of their forefathers were now in-

<sup>1</sup> Plut., Cat., 5, 16.

<sup>2</sup> Ibid., 5, 6.

<sup>3</sup> Ibid., 16. A. C. 65.



tently turned ; and though a new, or, as the phrase went, an ignoble man, he was elected, three years after Pompey's departure,<sup>1</sup> to the consulship, on his first canvass, yet in the face of many difficulties<sup>2</sup> and over six competitors,<sup>3</sup> at the age of forty-three.

The colleague chosen with him was Caius Antonius, an associate of Sergius Catiline, who likewise stood, or rather fought, for the office, endeavouring at all hazards to prevent the election of Cicero. Instead, therefore, of being able to count upon any aid, Cicero was obliged to guard against the enmity of Antonius, in carrying out his policy, clear from the moment of the election, if it had not been understood before. There was no delay in Cicero's movements, notwithstanding the obstacles of which his colleague's hostility formed but a comparatively trifling part. At the same time that he turned a glance upon Pompey, as if to plead for the favour<sup>4</sup> that then seemed indispensable to his success, he bent all his powers to accomplish a union between the various classes of citizens, on such terms and with such bonds as should insure the Commonwealth against individual supremacy and general corruptness. There was no great reason to count upon the people at large, although he sought their good-will in his desire to seem and

<sup>1</sup> A. C. 64 for 63. Sall., Cat., 23. Plut., Cic., 10 *et seq.*

<sup>2</sup> See his own account in his letters to Atticus, or, with more peculiar reference to his position as one of the Ignobles in De Leg. Agr., II. 1, 2.

<sup>3</sup> The list of them is in Asconius's Argument. Orat. in Tog. Cand.

<sup>4</sup> As in the oration De Leg. Agr. II. 19, 36.



to be their friend ; but the stronger hope from which he acted was to achieve the conjunction of the Senators and the Knights, so long at variance with one another and with all orders of their countrymen. The support which Cicero received bade fair at first, in spite of strenuous opposition on the other side, to give him a prospect of success. A Knight himself by birth and by attachment, he was also foremost amongst the Senators, to whom he inclined with equal sincerity ; and his long fidelity to both estates was requited, during his canvass and at his entrance into office, by many testimonials of confidence and regard. A wider, but a briefer and less serviceable, popularity belonged to Cicero amongst the better portion of the lower classes, whose fondness for his eloquence and trust in his character were increased by their lingering wish to have the laws of their country upheld.

The measures of Cicero in his consulship must be judged according to this projected union, by which he would have welcomed and retained the peace seemingly, perhaps, approaching after many miserable years. He assisted Lucullus to obtain the triumph he had long been claiming for his eastern victories.<sup>1</sup> He called the people from the theatre, where they had hissed the author of a law providing separate seats for the Knights, to rebuke them for affronting an honourable man and the great estate whom he represented.<sup>2</sup> He even resisted the claims of the sons of those proscribed by Sulla and his followers to be

<sup>1</sup> See his own words in Acad. Pr., II. 1.

<sup>2</sup> Plin., Nat. Hist., VII. 31.



restored to their rights and patrimonies ;<sup>1</sup> for though their case was cruel, as he mournfully confessed, “ yet such,” he added, “ was the dependence of the state upon the laws of Sulla, that it could not stand, if they were broken down.”<sup>2</sup> A proposal by one of the Tribunes, that all existing debts should be annulled, was opposed by the Consul, notwithstanding its acceptability to the lower classes, because of its injustice to the higher.<sup>3</sup> With equal zeal to hinder the abuses in more powerful quarters, he himself brought up a law to abolish, which was necessarily modified so as simply to restrict, the right of the Senate to grant permissions of travel or residence in the provinces at the expense of their inhabitants.<sup>4</sup> In such a course, Cicero could not avoid exciting exposition, and in many instances aversion ; but if these different proceedings be fairly weighed, it will be seen how evenly he meant to hold the scales between the restless parties and pursuits with which he had to deal.

Wherever such a cause as that which Cicero maintained, in defending the laws and the liberties of his country, requires the avoidance of so many disturbances and the consideration of so many contending interests, it is plain that there must be an opposite cause upheld with greater or less assurance. At the head of those preparing to attack the institutions of Rome was Julius Cæsar, whose resolution has been

<sup>1</sup> Plut., Cic., 12.

<sup>2</sup> Quint., Inst. Orat., xi. 1. 85.

<sup>3</sup> Dion Cass., xxxvii. 25.

<sup>4</sup> These grants were called Free Legations. Cic., De Legg., iii. 18.



previously remarked as that of one not likely to be persuaded or controlled against his will. From the time of the quæstorship, when he brought forward the images of Marius, or more particularly from a subsequent ædileship, in which he set up his uncle's trophies on the very Capitol itself,<sup>1</sup> Cæsar had taken the lead of the party left without a chief at Marius's death, and reduced by Sulla's triumph to nearly total inanition. Its ranks, gradually filled by individuals discontented with Pompey's power or with the authority still in possession of the Senate, comprised an apparently inconsiderable number of Knights, but a much larger array of the lower orders, especially in the city. Partly by means of his extraordinary talents, but still more by means of the most profuse expenditures in games and bribes and personal displays, Cæsar was now the leader of this mongrel faction, whose only bonds of union consisted in their admiration of him and their hostility to the higher estates whom Cicero was endeavouring to reconcile. Its movements were far from being abrupt or threatening; for its members had no particular purposes in view; and Cæsar was not yet prepared to commit himself by open resistance to the upper orders, with whom, as well as with Cicero, he affected to be, or to desire to be, upon friendly terms. Another circumstance, perhaps, to keep him quiet was the ascendancy that the new Consul had for the moment acquired over his own followers; but at any rate, the designs

<sup>1</sup> See the reports about him in Plut., Cæs., 6, where Catulus is represented as having charged him with storming the Commonwealth.



of which Cæsar was undoubtedly the author required at first no more than underhand instigation on his part.

The first point was to stir the populace from their contentment under Cicero to some vast hopes, of which they were to be brought, as it were, to see the impracticability, unless they followed their leader into a revolution. At the close of the preceding year, but after the consular election, a bill denominated Agrarian was proposed by the Tribune Servilius Rullus, providing for the appointment of ten commissioners with ample powers to sell the greater part of the public domains, to receive the public spoils and revenues, excepting such as were in Pompey's hands, and then, with the enormous sums they should thus procure, to purchase lands in Italy for the needy citizens, and to found some colonies upon that portion of the public territory which might remain unsold.<sup>1</sup> To accomplish this gigantic project, the commissioners were to keep their offices for five years, with irresponsible and absolute power, as well beyond as within the boundaries of Italy; and one of the arguments which Cicero, who appeared in opposition on the first day of his consulate, directed against the bill, was a warning against the ten kings<sup>2</sup> proposed for exercising authority over the

<sup>1</sup> The details of the scheme will be found in Cicero's orations *De Leg. Agr.*, i. 1, 2, 5, 7, ii. 5, 7, 22, 25, 26, iii. 1, 3, 4. It was not intended to disturb any proprietors who had come into possession of

lands in Italy since A. C. 82 (Sulla's triumph), or out of Italy since 88 (the Social War).

<sup>2</sup> *De Leg. Agr.*, ii. 6. See also i. 7, ii. 10, 13, 15; and *Plut.*, *Cic.*, 12.



entire Commonwealth. In contrast with the popular character which was drawn over the hidden purposes of the measure, the Consul entreated the people to observe that "nothing could be so popular as what he then offered them in peace, tranquillity, and ease."<sup>1</sup> The promises and the reasonings of Cicero, backed by a large proportion of the citizens, prevailed against the bill; but it was not so easily forgotten by the populace that the largess they were then denied might one day be obtained.

The next step which Cæsar took was intended to shew his adherents that the revolution of which they might hear whispers was to be achieved with impunity. Another Tribune, Titus Labienus, came forward to charge Caius Rabirius, an aged Senator, with having murdered Saturninus in the conflict between him and the Senate, thirty-seven long years before. The old man was tried by two judges, appointed, after an antiquated form, by the Prætor;<sup>2</sup> and they, being none other than Julius and his kinsman Lucius Cæsar, pronounced Rabirius guilty. He appealed from their sentence to the Centuries, before whom Hortensius the Senator and Cicero both appeared in his defence. The leaders of the populace, greatly strengthened since the Agrarian bill, were now resolved, at Cæsar's bidding, as others besides themselves understood,<sup>3</sup> to strike a blow at the Senate,

<sup>1</sup> De Leg. Agr., ii. 37.

<sup>2</sup> That of trial for *perduellio*, or high-treason, conducted in olden

times before the Duumviri Perduellionis. See Cic., Pro Rab., 5.

<sup>3</sup> Suet., Cæs., 12. Dion Cass., xxxvii. 26 *et seq.*



and even to decide its incompetency to arm the magistrates or the people against an insurrection. Cicero plainly declared "it was to render the authority of the Senate, the power of the Consuls, and the union of all good men against the calamities and the perils of the Commonwealth unavailing, that the age, the infirmity, and the loneliness of this man had been arraigned."<sup>1</sup> But it was only through a stratagem<sup>2</sup> that the assembly was dispersed before the people voted against the gray hairs of Rabirius, for the sake of their own security or that of their leaders, in the contests they seemed to see at hand.

While Cæsar could always obtain the voices of the magistrates, even if he were sometimes baffled in securing the votes of the people, it mattered little whether he acted through them, or himself appeared in order to sustain his schemes. He was fast advancing upon his astonishing career. Within a brief interval from the accusation of Rabirius, the Tribune Labienus carried the repeal of the law by which Sulla restored to the pontifical college the right of filling its own vacancies; and immediately afterwards, the Tribes, to whom the election returned, appointed Cæsar to the office of Chief Pontiff.<sup>3</sup> One of his competitors for the place, the Senator Catulus, offered him an enormous sum, if he would retire from the

<sup>1</sup> Pro C. Rab., 1.

<sup>2</sup> Of Metellus Celer, then in the prætorship, who pulled down the standard on the Janiculum; the assembly, according to an old form,

not being in order, unless the standard was kept flying. Dion Cass., xxxvii. 27, 28.

<sup>3</sup> Suet., Cæs., 13.



canvass ;<sup>1</sup> but Cæsar, who bought others, could not himself be bought by any bribe.

It was about the same time that Cato set out from the city, together with some learned friends, to spend a few leisure weeks at his estate in Lucania. As he journeyed thither with the usual train of slaves, besides his companions, he heard that Metellus Nepos, for the last three or four years a favourite officer of Pompey, was on his way to seek the tribuneship at Rome. Cato instantly ordered his attendants to turn back ; and on being asked by his friends, the philosophers, why he had so suddenly changed his mind, he answered, that it was no time for retirement, when such a man as Metellus was about to fall like a thunderbolt upon the Commonwealth.<sup>2</sup> The purpose had ripened during Pompey's absence, especially amongst the party of the Senate, to prevent his return to the almost unlimited authority he had possessed. None were more resolute in this respect than Cato ; and the readiness with which he renounced his intended visit to Lucania, where his books and his companions would have entertained him, however little he may have cared for country life, betrays the apprehension which Pompey could excite merely by sending home a follower for an office, while he kept himself away. Cato went on, indeed, to his estate ; but swiftly returned, to offer himself as a candidate for the same place which Metellus sought. The Senate supported him as their chosen champion,

<sup>1</sup> Plut., Cæs., 7.

<sup>2</sup> Ibid., Cat., 20.



and he was easily elected ; but not, as he had hoped, to the exclusion of Metellus, who was chosen one of his colleagues.

The anxieties of the few patriots in Rome were already absorbed in greater cares than any connected with the return of Pompey. Catiline, the conspirator of a former year, was again seeking the consulship ; and having twice before been rejected at the elections, he was now advancing towards his object, as was well known, at the head of a band of associates, who, some thinking to lead, and others aware of following him, were, before the present canvass, resolved to create him Consul for their sakes as well as for his own. This extraordinary man, in whom, it would seem, the worst and the best blood, the highest and the basest capacities of his race, were combined, had pursued a career of wickedness and prodigality to which there were many counterparts in public,<sup>1</sup> but few in private, even amongst his corrupted countrymen. Though nothing would be more unjust than to repeat the reproaches which he has received, as if he had been a solitary monster in the midst of a virtuous people,<sup>2</sup> it is evident that the

<sup>1</sup> His public life began with the proscriptions and murders in which he took a fearful part under Sulla. He was afterwards a Quæstor (A. C. 78), a Lieutenant (76), and a Prætor (68) ; while, on the other side, if it may be so distinguished, of the sketch, appear his prosecution for extortion in Africa, which he governed in the year following his

prætorship, and his arraignment on the list of Sulla's assassins. On both trials he easily obtained an acquittal ; on the second with the help of Cæsar. Dion Cass. xxxvii. 10.

<sup>2</sup> "Incitabant præterea corrupti civitatis mores." Sall, Cat., 5. See the whole of cap. 38. It was not every people, as Juvenal (Sat.



oppressions and the debaucheries which marked the ruler, the citizen, and the lowest slave in Rome had never yet been so openly paraded and indulged as by Catiline. This, again, is not to his shame alone, but to that of the nation in which public opinion was extinct or else no longer respectable. Ardent in intellect<sup>1</sup> and strong in physical energies,<sup>2</sup> until his vices had enfeebled his frame and inflamed his blood-shot eyes, Catiline was foremost in revelry, in brilliancy, and in ambition. As generous to those he cared to serve as he was grasping towards those he chose to abuse,<sup>3</sup> he was the hero of one as much as the terror of another multitude. Nor was he admired alone by infamous men or profligate women; the virtuous, or they who bore the name, were inclined to indulge him, as one whose faults were not so striking as his powers.<sup>4</sup> "Me even," exclaimed Cicero, "me had he almost deceived, so nearly did he seem to me the good citizen, the associate of the excellent, the firm and the faithful friend."<sup>5</sup> Catiline must now have been upwards of forty years of age.

Cicero took upon himself the charge of preventing Catiline's election as his successor; and although it was generally, but indistinctly, known that the intentions of the candidate and his comrades, whose troops

xiv. 41, 42) would have us believe, that could produce a Catiline.

<sup>1</sup> "Vastus animus immoderata, incredibilia, nimis alta semper cupiebat." Sall., Cat., 5.

<sup>2</sup> Magna vi et animi et corporis." Ibid.

<sup>3</sup> "Alieni appetens, sui profusus." Ibid.

<sup>4</sup> Cic., Pro Cæl., 5, 6.

<sup>5</sup> Ibid., 6. It was insincere, however, in Cicero to say so. Cf. Ad Att., i. 1, 2.



were already gathering in Etruria, extended far beyond the limits of the consulship, the opposition of Cicero alone appears in any prominence. He urged a new law against bribery ;<sup>1</sup> he induced his colleague to separate from the conspirators ; he united the supporters, generous or interested, of the Commonwealth, under his direction ; he adjourned the election ; and finally, as he says himself, he bade Catiline answer, "if he would," before the Senate, for the rumours brought in on every side.<sup>2</sup> The conspirator retorted, that there were two bodies belonging to the Commonwealth,—the one weak and with a feeble head, the other strong, but without a head at all ; "to this," he added menacingly, "while I live, a head shall no more be wanting."<sup>3</sup> And so he broke forth, as Cicero continues, from the Senate-house in triumph. But the Consul remained, firm and resolved, with the Senate, from whom he obtained the decree investing himself and his colleague, according to the usual form, with unlimited authority to preserve the public safety. He then descended, armed and guarded, into the Campus Martius, where the elections were held ; and there, to his infinite joy, was enabled to declare two other citizens, Junius Silanus and Licinius Murena, to be chosen Consuls in the face of the thrice disappointed Catiline. Neither Pompey with the army, nor Cato in the Senate, nor Lucullus in his luxuries,

<sup>1</sup> Attempted in vain before. Ascon., Argum. Orat. in Tog. Cand. Cic., Pro Murena, 23. Dion Cass., xxxvii. 29.

<sup>2</sup> Pro Mur., 25.

<sup>3</sup> Ibid. Plut., Cic., 14. Cf. Dion Cass., xxxvii. 29.



nor, least of all, Crassus and Cæsar, themselves suspected of conspiring with Catiline,<sup>1</sup> were watching over the liberty and the preservation of Rome; her guardian on earth was Cicero.

To him alone had been disclosed<sup>2</sup> the extent and the purposes of the conspiracy which Catiline had begun to organise so early as at the time when he and Cicero were competitors for the consulship. The leading associates whom Catiline then selected were men of various ranks and still more various aims: some weak-minded, like Cornelius Lentulus,—formerly Consul, afterwards expelled from the Senate, but now again in the prætorship,—who aspired to “reign,”<sup>3</sup> as he did; others dull, like Cassius Longinus, who would rise through rebellion to some of the opportunities of fortune or authority above their reach in peace; and others still, bankrupt and debauched, like Quintus Curius, an ejected Senator, or the younger Cornelius Cethegus, who rather sought indulgence for their lusts and prodigalities. Many Senators and more Knights, from the country and the colonies which Sulla spread<sup>4</sup> over Italy, as well as from the city, were sooner or later involved, through their own will, in the same toils.<sup>5</sup>

<sup>1</sup> They had, at all events, supported his canvass against Cicero; but there is no proof of their having taken part in the conspiracy.

<sup>2</sup> Through Fulvia, a lady of high rank, and the mistress of Quintus Curius, the conspirator. Sall., Cat., 23, 26.

<sup>3</sup> There was a prophecy current that a third Cornelius (Cinna having been a first, and Sulla a second) should reign at Rome. Plut., Cic., 17.

<sup>4</sup> Plut., Cic., 14. Sall., Cat., 28. Cic., In Cat., II. 9.

<sup>5</sup> Sall., Cat., 17. Cic., In Cat.,



The genius of Catiline subdued alike the restless and the sluggish, the lustful and the ambitious ; their wants, he said, were his ; and the plans they may have seemed to suggest were pursued as he determined. At the outset, he proposed the abolition of debts, the renewal of proscriptions, and the control of the Commonwealth<sup>1</sup> by taking possession of its highest offices. But when Cicero was elected over him, his designs expanded and darkened ; large sums of money and supplies of arms were raised ; emissaries were sent about the country, and a camp was formed in Etruria to receive the recruits they could collect ; until by dint of promises, persuasions, and excitements, many of the younger men and the lower classes, especially in the Italian towns,<sup>2</sup> were enlisted in what was called “the very grand and the very noble enterprise.”<sup>3</sup> Even the populace of Rome, who hailed Cicero as their Consul in the early part of the following year, and trusted in Cæsar as their leader through the subsequent proceedings which Cicero opposed, were, at the time of the new elections, wavering towards Catiline, who, in gaining the consulship, expected to obtain the foothold he required to move the world.

But the repulse he encountered in the Campus

II. 8—10. See Drumann, *Gesch. Roms*, vol. v. pp. 415 *et seq.*

<sup>1</sup> Sall., *Cat.*, 21.

<sup>2</sup> “Omnino cuncta plebes..... Urbana plebes.....Juventus in agris.....Præterea quorum, victoria Sullæ, parentes proscripti, bona

erepta, jus libertatis imminutum erat.....Ad hoc quicumque aliarum atque Senati partium erant.” Ibid., 37. See capp. 24, 26, 27.

<sup>3</sup> “Maximum atque pulcherrium facinus.” Ibid., 20.



Martius drove him to fiercer projects than could easily succeed even with the Roman people. He had repelled the denunciations of Cato in the Senate, some time before his above-mentioned rejoinder to Cicero, by swearing aloud, that, if any fire, as he said, were kindled against his designs, he would extinguish it, not by water, but by universal ruin ;<sup>1</sup> and almost immediately after the elections, the outbreak, long since prepared in Etruria, took place ; while the life of Cicero was barely saved from threatened assassination in the city. Our narrative has been purposely inverted, in order that this long train of plots and resources may appear, as it actually was, to have been unknown to all save Cicero and the few in whom he confided, even after the scenes related in the Senate-house. But the time was come when the Senate, at least, needed to be made aware of the fire and sword daily brought, as it were, unseen, in the robes of Catiline, into their assemblages.

On the morning, therefore, after Cicero had escaped murder, he called the Senators to meet him in the temple of Jupiter Stator, the Preserver. It was but eighteen days<sup>2</sup> since he had denounced the conspiracy, and not yet as many hours since the intelligence

<sup>1</sup> Cic., Pro Mur., 25.

“ The ills that I have done cannot  
be safe

But by attempting greater ; and  
I feel

A spirit within me chides my  
sluggish hands,” &c.

BEN JONSON'S *Catiline*,  
act i. sc. 1.

<sup>2</sup> From October 21 to November 8 (A. C. 63), the day of the first oration against Catiline. See Drumann, *Gesch. Roms*, vol. v. p. 456, note.



from the camp in Etruria had arrived. Catiline, however, did not scruple to come to the temple at the Consul's summons ; but when he approached the curule seats, where many of the more reputable Senators were gathered, they rose and left him as though his touch had been fatal. Shrinking thus from Catiline, they turned towards Cicero, in hope of explanation, and, as might be added, were they better men, of sympathy. He rose with excited and resolute demeanour. Day and night had he watched for the hour in which he could unveil the dangers whose premature disclosure would have been a still greater peril, and yet whose concealment was too severe a trial of his strength to be longer endured. In words each one of which was a relief to him and a terror or a sting to Catiline, he unmasked the designs he had successfully but secretly withstood, and bade the enemy against whom he had already protected himself and his country begone from the Senate and from Rome. "And thou, Jupiter," he concluded, "whom we call the Preserver of our city and our dominions, — thou wilt drive this man and his accomplices away from thy shrines and from our walls, — thou wilt save our fortunes and our lives!"<sup>1</sup> It was as the triumph of the Commonwealth which he represented over its own obliquities, when these, in the person of Catiline, unable to reply, were driven from the temple before the virtues of the Consul and the maledictions of the Senators.<sup>2</sup>

<sup>1</sup> In Cat., i. 13.

31. Cf. Diod. Sic., Reliq., xl.

<sup>2</sup> Plut., Cic., 16. Sall., Cat., 5.



But the deity to whom Cicero appealed for defence or inspiration had no ears to hear the entreaties of the imploring voice or of the upright heart. The conspiracy, indeed, of Catiline was soon suppressed; he fell, as all have read, at the head of his army,<sup>1</sup> to which he hastened from the Senate; and the associates whom he left in Rome, hemmed in by the patience and confounded by the power of Cicero, were taken and executed before the rout of their leader in the field.<sup>2</sup> Nor was the Consul alone engaged in the preservation of the Commonwealth. The acts of the Senate, the exertions of the magistrates and the officers, the energies of the Knights, and even the sympathies of the people, supported his designs, and crowned them with success so complete, that the liberty of Rome seemed restored to a new life, at the same time that it was saved from extinction in the massacres and the conflagrations of the conspirators. But the same liberty had permitted them to conspire, if it had not allowed them to prevail; and without recurring to the condition of things remaining after, exactly as before, the conspiracy, it will be enough to throw some light upon the means by which the victory of the faithful over the faithless citizens of the Commonwealth was secured.

Soon after the flight of Catiline, and while the conspiracy was daily thickening within and without

<sup>1</sup> At the beginning of the following year, A. C. 62. Sall., Cat., 60. Flor., iv. 1. He had 20,000 men under his command. Sall., Cat., 37, 39. App., Bell. Civ., ii. 7.

<sup>2</sup> They were given into custody on the 4th and put to death in prison on the 5th of December. Sall., Cat., 40—47, 55. App., Bell. Civ., ii. 6.



the city, Licinius Murena, mentioned as one of the Consuls elect, was prosecuted by an unsuccessful candidate on the charge of bribery. The accuser was sustained by Cato ;<sup>1</sup> but though there was no doubt in relation to the justice of the accusation, the accused was defended by Crassus, Hortensius, and particularly by Cicero, who pleaded the danger of holding a new election at such a season, and insisted upon the necessity of leaving the highest authority in vigorous hands,<sup>2</sup> whether stained, though this he did not urge, or unstained. The same necessity of sacrificing principle to expediency, or rather of turning expediency into a principle, appeared when the Senate assembled to pass sentence upon the accomplices of Catiline. It was scarcely known how they might be supported amongst the citizens ; while fears were reasonably entertained that they would yet be rescued,<sup>3</sup> and bring the city into greater danger than before. But the laws of the early and the later Commonwealth alike declared the inviolability of the Roman citizen, except it were suspended by a full assembly of the Centuries ; and Cicero hesitated, while the Senate was divided in opinion, until he seemed to see, not only the risk of allowing the conspirators to live, but the certain evil of following the opinion put forth by Cæsar, because it was his, pro-

<sup>1</sup> Cato's purity is not, however, to be over-estimated. Murena's colleague elect, Junius Silanus, was equally guilty of corruption ; but Silanus was Cato's brother-in-law. Plut., Cat., 21.

<sup>2</sup> Cic., Pro Murena, 37 *et seq.*

<sup>3</sup> Sall., Cat., 50. App., Bell. Civ., II. 5. Dion Cass., xxxvii. 35.



posing the confiscation of their estates, and the confinement of their persons in some of the Italian towns.<sup>1</sup> The oration, yet remaining fresh from Cicero's lips, reviews the opposing counsels which had been given, and professes the devotedness of the speaker to assume the whole obloquy of the sentence of death. He could have made no greater sacrifice to what he thought the good of his country. The alarm of Cato, and his resolution to take the same course,<sup>2</sup> leave no room for doubting the perils which Cicero is often supposed to have exaggerated.<sup>3</sup> On the other hand, the evidence is clearer to the point we long ago remarked, that the heathen law of Rome, like a foundering bark, could be saved from sudden and total destruction only by parting with its stoutest masts or its most precious wares.

As soon as the conspirators, condemned by the Senate, lay lifeless in the dungeons of the Capitol, the Consul came forth with many of the principal Senators to the Forum. It was in the dusk ; but the crowd of the day-time still lingered, anxious to hear the fate of their leaders, or to learn the safety of their better countrymen and themselves. As Cicero proceeded, he passed a group of men whom he knew to have been concerned in the conspiracy. "They are dead !" said he to them, in a loud and significant tone, which was understood by those to whom it was addressed, and soon repeated through the Forum and

<sup>1</sup> Plut., Cæs., 7. Sall., Cat., 51.

<sup>2</sup> Sall., Cat., 52.

<sup>3</sup> See his own allusions, Ad Att., i. 14 ; Ad Div., v. 2.



along the adjoining streets. The enthusiastic people, touched, if they had not before been of the same mind, thronged about the Consul, declaring him to be their preserver; while at the doors, on either side, and from the roofs above, there suddenly shone the light of lamps and torches,<sup>1</sup> with which the way he pursued homewards was bright as when he walked to the Senate in the morning. Nor did the reward which Cicero well deserved for his defence of the constitution, not merely against Catiline, but against Cæsar, in spite of the changing supports on which alone he could rely, end with the illumination of a single night. Catulus, at the head of the Senate, by whom a public thanksgiving in Cicero's name had been previously decreed, now saluted him as the Father of his country;<sup>2</sup> and Cato persuaded the people to confirm the glorious title in the Forum.<sup>3</sup> His highest hopes were satisfied. "Ye have," he told the Senate in his last oration concerning the fate of the conspirators, "ye have all ranks, all men, the whole Roman people, of one and the same opinion; and it is the first instance of such a concord in a civil cause . . . . The Knights are with us. This day and this cause recall them, after dissensions of many years, to the association of the Senate. If the connection cemented in my consulship be made perpetual, I promise that no domestic injuries shall hereafter befall any part of the Commonwealth." In almost the next breath he denied that the work he

<sup>1</sup> Plut., Cic., 22.

<sup>2</sup> Cic., In Pis., 3.

<sup>3</sup> Plut., Cic., 23. App., Bell.

Civ., II. 10.



had reason to call his own could by any possibility be destroyed. "No violence," he exclaimed, "shall ever be so deadly as to break through and undermine the union between you, the unanimity of all good men!"<sup>1</sup>

The promise was scarcely made before it began to fail. On the last day of the year in which Cicero had done so much to save the liberty of Rome, he appeared upon the rostra to render the customary account of his consulship, and to swear before the people that he had obeyed the laws. The tribunal above him was already occupied by two of the magistrates for the following year. One was the Tribune Metellus Nepos, elected in Pompey's interest. The other was the Prætor Cæsar, elected before the suppression of the conspiracy, and who, since the sentence against the conspirators, had hardly been seen, except amongst the populace, whom he sought in opposition to the Senate.<sup>2</sup> When Cicero rose on the rostra, Metellus rose on his tribunal, and by virtue of his authority forbade the Consul to do more than pronounce the oath of fidelity in its simplest form. Scarcely prepared for this undeserved aggression, Cicero nevertheless advanced without faltering<sup>3</sup> to the front, and swore aloud and solemnly, that the Commonwealth had been preserved through his devotion. "Such and so great an oath as it was," he said a few years afterwards, "it was approved by the shouts and the consent of all the people."<sup>4</sup> The

<sup>1</sup> In Cat., iv. 9, 7, 10.

<sup>2</sup> Plut., Cæs., 8. Suet., Cæs., 14, 15.

<sup>3</sup> In Pis., 3.

<sup>4</sup> Ibid. Plut., Cic., 23.



crowd that waited on him home left the Forum empty to the Tribune and the Prætor, shamed by the enthusiasm they could not then hinder. But the fervour of a larger multitude than Rome contained was but a weak security against the faction which Metellus Nepos represented, still more against the ambition which Cæsar possessed and urged untired.

During all these events in Rome, Pompey had been pursuing a series of marches rather than campaigns against the exhausted nations in the East. Mithridates had fallen in despair by the sword of one of his mercenaries; and the kingdom of Pontus, which he had ruled for half a century, became a province of the enemy against whom it had been for nearly a quarter of a century defended.<sup>1</sup> The adjoining countries, Galatia, Cappadocia, Lesser Armenia, and the Bosphorus, taken from the Armenian kingdom of Tigranes, the son-in-law and the ally of Mithridates, were severally constituted dependent monarchies; while Cilicia and Syria were both reduced to provinces, and Palestine, subdued to the very Holy of Holies in the temple at Jerusalem, received its government from Rome, to which, in return, its amount of tribute was determined. These vast vicissitudes<sup>2</sup> completed the prostration of the Eastern countries of the Mediterranean; but the rapidity with which they

<sup>1</sup> A. C. 63. App., Bell. Mithr., 111. Dion Cass., xxxvii. 10. At Cicero's proposal, a thanksgiving of ten days was decreed in Pompey's name, on the arrival of the news that Mithridates was dead. De Prov. Cons., 11.

<sup>2</sup> A. C. 66—63. App., Bell. Mithr., 105 *et seq.*, 114. Plut., Pomp., 32—43. Vell. Pat., ii. 37, 40.



fell before Pompey betrays at once their own exhaustion, and, humanly speaking, the profitless extension of the Roman realms. Egypt, alone, on the south-east corner, was left a little longer to its corrupted monarchs, its weary scholars, and its sunken people.

Meanwhile, the fears excited by the victor at Rome were even greater than those he spread amongst the wretched victims of his conquests; and when, soon after the retirement of Cicero, it was proposed by Metellus Nepos, and seconded by Cæsar, that Pompey with his army should be recalled, the opposition of Cato—then, as will be remembered, in his tribuneship—and his supporters was so vehement as to provoke the wildest riots, during which Metellus and Cæsar were both declared deposed from their magistracies.<sup>1</sup> Such resistance was as vain as it was contrary to all the laws which Cato intended to uphold. Metellus fled to Pompey; but Cæsar was immediately reinstated in the prætorship, and allowed to prepare his plans for greater issues. He alone appears to have comprehended the character of Pompey; and while others looked forward with dread to his seizure of the supremacy he had formerly exercised, Cæsar trusted in obtaining the ascendancy over Pompey, especially if he could unite their interests upon an apparently common ground. In the year succeeding to Cicero's consulship, the conqueror of the East arrived at Brundisium, where he disbanded his army; but several months elapsed ere he entered the city,

<sup>1</sup> Plut., Cat., 26—29. Cic., 23. Suet., Cæs., 16.



just before his forty-fifth birth-day,<sup>1</sup> in the most magnificent triumph that had ever ascended the Capitol by the Sacred Way. He was overwhelmed with honours.<sup>2</sup>

Soon afterwards, however, on the presentation of his demands<sup>3</sup> to have his proceedings ratified and his veterans rewarded, the resistance prepared against him was led by Cato and Lucullus with so much resolution or vainglory in the Senate as to end in the denial of his claims. The annoyance of Pompey was the very point which Cæsar would have most desired to gain ; and on his return from his province in Spain, where he had spent a year in amassing a wonderful fortune,<sup>4</sup> he found the execution of his designs almost forestalled. While the Knights and the Senate were separating, in consequence of the refusal by the latter of a petition preferred by the former, or by the Publicans amongst their order, to be released from a disadvantageous contract in relation to the Eastern revenues,<sup>5</sup> there was no possibility of protracting the defence of the laws, whose defenders were thus severed, against their opponents united in the persons of Cæsar and of Pompey. Their covenant, in which Crassus was included by Cæsar's will, partly on account of his wealth, but chiefly on that of his ancient enmity to Pompey, was called

<sup>1</sup> The triumph was celebrated on the 28th and 29th Sept., A. C. 61. Plut., Pomp., 45. App. Bell. Mithr., 116, 117. Flavius. Cic., Ad Att., i. 19. Dion Cass., xxxvii. 49, 50. Plut., Lucull., 42 ; Pomp., 46.

<sup>4</sup> Plut., Cæs., 12.

<sup>2</sup> Dion Cass., xxxvii. 21.

<sup>5</sup> See the views of Cicero, Ad

<sup>3</sup> Through the Tribune Lucius Att., i. 16, 17.



the First Triumvirate in after years, when men looked back to its formation as to the mortal wound of liberty in Rome.<sup>1</sup>

The influence of Cicero had long before departed. His confidence in the achievements of his consulship, at first confirmed<sup>2</sup> by the assault of his enemies, or rather those of his country, was soon upon the wane. There is a letter of a few months' later date, addressed by him to Pompey, who, it seems, had replied but coldly to the intelligence received from Cicero concerning the events of his consulship. "Lest you be ignorant," he says, "of what I thought wanting in your letter to me, I will write with the frankness required by my own nature, as well as by the friendship between us. I expected some congratulation, on account both of our connection and of the Commonwealth, for the deeds I have done; and I think you may have omitted it for fear of offending some one. But be sure"—yet the tone is not itself secure—"that what you and I have done for the safety of our country is approved by the judgment and the testimony of the world."<sup>3</sup> Some hopes, however ungrounded they may have been, were raised in Cicero by the return of Pompey, in whom he trusted a faithful citizen might be brought back to the Commonwealth.<sup>4</sup> "I am protecting," he writes, "as well as I am able, the union I cemented as my own policy

<sup>1</sup> A. C. 60. "Conspiratio." Liv., Epit., ciii. Horat., Carm., ii. 1. App., Bell. Civ., ii. 9. Dion Cass., xxxvii. 57. Plut. Pomp., 47; Cæs., 13; Cat., 31.

<sup>2</sup> See his letter to Metellus Celer, the brother of Nepos. Ad Div., v. 2.

<sup>3</sup> Ad Div., v. 7.

<sup>4</sup> Ad Att., i. 14.



and institution ; yet, since it is really infirm, I trust that one way, at least, to preserve it will be well guarded,"<sup>1</sup>—referring to his confidence in Pompey's protection. His language rapidly becomes more mournful. "You must be ready," he says, "to exclaim, that the Commonwealth can last no longer. The Senate is harassed ; the Knights are alienated. A single year has thus overturned the two foundations I alone established ; for it has not only cast down the authority of the Senate, but has dissolved the concord between the higher orders. A statesman and a patriot is not to be found even in dreams."<sup>2</sup> As for Cato, he urges, that no one could love him more than he himself ; yet, "that, with the best intentions and the purest honesty, he was doing harm by living and speaking as though he were in the commonwealth of Plato rather than in the dregs of that of Romulus."<sup>3</sup>

This, then, was the end of the labours by which Cicero, in his prime, would have defended the laws and the liberties of his country. Not, indeed, that he knew it to be the end ; for his hopeful heart, warm with love both to the institutions of the past and to the living men of the present, still trusted that the cup of dregs might be filled with fresh draughts, and be committed to hands less violent than Cato's in its care, less stained than Cæsar's in its overturn. But the only classes that could be distinguished from such as Cæsar or as Cato were formed of others indifferent

<sup>1</sup> Ad Att., i. 17.

<sup>3</sup> Ibid., ii. 1.

<sup>2</sup> Ibid., i. 18.



to the fate of the Commonwealth, except in its relation to their own; and neither to Senators nor Knights nor to common citizens was there any knowledge of what liberty might be, scarcely of what it had been. Even Cicero, himself, bestowed his affections upon the great rather than upon the lowly amongst his countrymen. Even he, too, was often freer in the indulgence of his errors and his insecurity than in the practice of his firmness and his virtues.



## CHAPTER VII.

## PHILOSOPHY AND FAITH OF THE LATER ROMANS.

“Ne si grandi flagelli distruggevano soltanto le cittadinanze, ma insieme con esse a grado a grado perivano i monumenti pubblici, le scritture, la letteratura, l'arti migliori: in somma, quasi che ogni retaggio della virtù degli avi.”—MICALI, *Storia Ant. Popoli Italiani*, CAP. II.

“Quem deum, si cupiat, opitulari posse reipublicæ credamus?”—CICERO, *Pro Marcello*, 7.

THE pomp, prodigality, and authority, so often apparent in the lives of the great at Rome, were present in their obsequies. Lictors, clad in black, led forth the funeral procession, in which minstrels with rude instruments, wailing women, buffoons, and slaves emancipated by their master's testament, composed the van; the other extremity of the train being formed by the relatives of either sex, whose duty or whose will it was to mourn the dead. Between the mourners and the attendants, the corpse, decked in the lordliest attire, was borne upon a splendid couch, in front of which appeared the crowns or insignia belonging to the hero or the dignitary in life. But the especial feature of the long array, as it swept from out the palace into the Forum, where the eulogy was pronounced, or to the pile on which the body was consumed with perfumes and to the ringing of weapons in the hands of gladiators, was the representation of the ancestors of the departed before his bier.



Their images or masks, in wax, and their official or military robes, worn by men moving with the procession, listening to the eulogy, and witnessing the flames of the pile, imparted dignity to the funeral ceremonies by recalling the mighty of preceding generations, at the same time that these seemed to receive their descendant into the silence of their past rather than to bid him welcome to a future immortality.

The poor and the humble man, whether citizen or slave, was carried forth by night,<sup>1</sup> as if it were a shame that he should die without amassing wealth or gathering renown. No images could grace, no sacrifices consecrate, his burial; for the past, to which the heathen appeared to return by death, was to the lowly or the captive, not only silent, but void and inexistent.

The difference in death between the lower and the higher classes was but the conclusion of the difference that had marked, in ways we have often noticed, their entire lives. As heathenism drew nearer towards its close, filling the world with fresh sufferings and destroying many former consolations, the inferiority and the desolation of the common people seem to have increased. This, indeed, may or may not be true with respect to their physical condition, their strength of body, or their supplies of food and shelter; of these particulars we are not informed. But in regard to their moral situation, or, to speak much more pre-

<sup>1</sup> Festus, s. v. Vespæ. Dion. Hal., iv. 40. See the whole subject, here barely touched, treated

with great minuteness by Dezobry, Rome au Siècle d'Auguste, Lettre LXIII.



cisely, their ideas concerning their duties and their rights in human society, the fact is plain, that the last generations of the heathen poor were particularly afflicted. After a certain equality before the laws had been obtained amongst various nations, but especially by the Twelve Tables<sup>1</sup> at Rome, there ensued the periods, through which we have more or less patiently passed, characterised by the decay of the earlier laws, and, with them, of the religious observances, rather than creeds, that they had been made as long as was possible to uphold. The inferior classes, less informed than their superiors in the purposes and consequently in the violations of the statutes above them, may not have lost their reverence for these so rapidly or so entirely as the upper orders, the Senators, for instance, and the Knights. Yet it was inevitable that the confiding obedience of comparatively primitive times should vanish amongst all ranks, not less the lowest than the highest, as the infirmity of their institutions, whether civil or sacerdotal, was proved before their eyes by the will of Providence.

It is at this point that the wider abyss between the weak and the powerful appears to open. The latter, as the learned, found, or thought they found, a substitute for the loss of the laws, by which, however, they did not so much desire to be governed as to be secured. The new code for them was revealed in philosophy, such as this became amongst its later votaries, with whom it was neither metaphysical nor

<sup>1</sup> Book II. ch. 3.



yet ethical alone, but a political, a scientific, and it may be added, in the heathen sense, a religious system. The chapter we have here begun will attempt to weigh the efficacy of his last reliance of heathenism. But it may be decided beforehand, that, whether it bade fair to be successful as a defence, or were rather from the first foredoomed to usher in the holier System which followed, it was equally in the keeping and to the assumed advantage of the magnificent and the learned, to the exclusion of the ignorant and the humble. For philosophy, as the greatest of its followers in Rome confessed, "shunned of its own accord the multitude, by whom," he adds, and it sounds like the judgment of Heaven recorded upon earth, "it is suspected and abhorred."<sup>1</sup>

The present period of decay in Roman liberty began, it may be remembered, when the first great conquests abroad were achieved, and when the powers of the conquerors were diverted from their ancient courses on the Italian fields or in their own Forum to the luxuries and the oppressions of which we will endeavour to read no more. It may, perhaps, be of assistance to our memories to observe, that the moment the originality, as it were, of Rome ceased, the trials and the calamities to herself, her children, and her subjects overshadowed the brilliancy of her so-called glories.

We may find a partial illustration of this general

<sup>1</sup> "Est enim philosophia paucis contenta iudiciis, multitudinem consulto ipsa fugiens, eique ipsi et suspecta et invisa: ut vel, si quis

universam velit vituperare, secundo id populo facere possit." Cic., Tuscul. Quæst., II. 1.



principle in a subject which deserves, however, much greater detail of treatment than is here practicable. The first signs of art in Rome were the coins, the bronzes, the frescoes, and the temples of the Monarchy and the early Commonwealth; and though there are few means of tracing their sources, it is sufficiently evident that the models and the artists of these remoter centuries must have been derived originally from Etruria, and subsequently from the Greek cities of Southern Italy. But as the Romans became the conquerors of towns and of entire countries where the arts had found more genial spirits, and imparted, as if spontaneously, more abundant inspirations, the cupidity of the ruder victors was stirred by the paintings in the temples or the statues in the squares of the conquered cities; and the work of pillage, begun in Syracuse, Capua, and Tarentum, was continued, as at Corinth, in Greece and throughout the cultivated regions of the East. A great deal was, of course, destroyed; the vision and the labour of the artist vanished for ever at the touch of the sword or the fire in the hands of the warrior; but many of the largest and some, perhaps, of the finest works were spared for the sake of their subjects or their size, to be transported in the train of the returning generals. As the spoils rapidly multiplied<sup>1</sup> and were spread about the Forum and the public buildings, the taste of the

<sup>1</sup> "An approximate calculation of the plundered statues and images soon runs up to a hundred thousand." — Müller's *Ancient Art*,

Eng. transl., sect. 165. See both sect. 164 and 165 for a sketch of the pillage in Greece.



plunderers was gradually awakened, and pictures or statues of a higher class than had before pleased were sought and in some degree appreciated.

At the same time, there seemed to be no power in the Romans themselves to improve or even to imitate the achievements which had been accomplished amongst other nations without the clash of weapons or the din of tongues. One of the few names succeeding Fabius Pictor, when opportunity arrived of learning from higher models than he had ever seen, is that of a statuary, Decius, whose principal work, a colossal head, excited the most cutting censure, on being placed near a Grecian head of similar design.<sup>1</sup> The vanquished, however, furnished their artists, as well as their works of art, to the conquerors ; but the chief employment of a painter was to make a house luxurious, while that of a sculptor consisted in perpetuating the image of his patron. The large majority of the statues or pictures in the city were those that had been brought from afar ; and these were sometimes transplanted from the shrines of their native soils to the cabinets or the gardens of victorious connoisseurs.<sup>2</sup>

It is thus that the fortune of art<sup>3</sup> becomes an illustration of the consideration displayed by the Romans

<sup>1</sup> "Comparatione in tantum victus, ut artificium minime probabilis artificis videatur," says Pliny, who tells the story. *Nat. Hist.*, xxxiv. 15.

<sup>2</sup> So Verres despoiled the unhappy Sicilians of the images of their divinities. "Medemini,"

cries his accuser to his judges, "religioni sociorum, judices ; conservate vestram !" *Cic., In Verr.*, act. II., iv. 32 *et seq.*, 51.

<sup>3</sup> See Winckelmann, *Storia delle Arti*, &c., lib. viii. cap. 4, and xi. 1.



for the tastes and the sciences of their subjects. Beyond their own powers, their trophy, but not their creation, it found a habitation amongst them as an alien; and though it had its admirers, its inspiration was degraded and its sanctity profaned. Instead, however, of any misgivings concerning the abuses of its teachings, the tenderest poet of Rome exulted<sup>1</sup> in the inability of his countrymen to become the disciples, and in turn the authors, of those sublime or gentle works, than which few can have a higher rank amongst the offspring of the human hand, or mind, or heart.

Returning to the philosophy of which some general account is essential to the history of liberty in Rome, we may endeavour to draw up its profounder principles from the depths of dogmas and stormy demonstrations, wherein they now silently repose. The old barriers of the East, shaken by Thales and Pythagoras, were broken down, as we have observed, by Socrates.<sup>2</sup> It was the part of this great and good man, not only to free the human spirit from some of its restraints, but to direct it to some of its highest ends, towards which, as he seemed to inculcate, there could be a security, so to speak, of progress, provided they were faithfully pursued. Without forming any rigorous system, he contented himself with commending to his hearers the earnestness, and to a certain degree, the confidence, in which, as he knew full well, the virtue of any system then possible

<sup>1</sup> "Excudent alii," &c. *Æn.* vi. 847 *et seq.* Cf. *Hor.*, *Epist.*, ii. 1, 28 *et seq.*

<sup>2</sup> *Diog. Laert.*, i. 13, 18.



was comprised.<sup>1</sup> The disciples who caught the greatest share of this inspiration were Plato and Aristotle, both of whom were confident and earnest, as Socrates had taught, though after a manner peculiar to themselves. Plato lived in a visionary sphere, from which he merged at various seasons to relate the sounds he had heard and the sights he had beheld, almost always with his master imagined at his side. Aristotle, on the contrary, devoted himself to what he would have called a more practical wisdom, and wrote with patient and marvellous sagacity of the world as it was before his eyes and within his mind. One was the real, perhaps, and the other the ideal philosopher; while each in his own way proved his loyalty to his great instructor, with the striking exception before remarked, of denying their knowledge to the mass of their fellow-beings.

In other schools, more directly connected with the later studies of the learned in Rome, the questions concerning human conduct which Aristotle and Plato had avoided, or else answered by general professions concerning human knowledge, were introduced as the prominent objects of philosophy. Here, again, the methods of seeking the same ends were divided into almost totally opposite courses. The Stoics, following the impulse received from their master, Zeno, trusted in the indulgence of reason and in

<sup>1</sup> "Il n'y a pas de système Socratique, mais il y a un esprit Socratique." Cousin, Hist. Phil., Leç. II. Hence, as Cicero said

of Socrates, "Parens philosophiæ jure dici potest." De Fin. Bon. et Mal., II. 1.



the mortification of the affections ; while the nearly contrary doctrines of Epicurus were obeyed by his disciples in yielding to the affections, and in employing reason chiefly where its exercise would banish weariness, or pain, or superstition.<sup>1</sup> If it be right to distinguish these different systems with reference to the spirit in which they were embraced at Rome, where Porcius Cato was a Stoic, and men of adverse principles were Epicureans,<sup>2</sup> we may consider the Stoics as inclined to fall back upon the past with more implicit obedience to its principles, while the Epicureans may be counted as having preferred the present, without concern for its corruptions or its changes.

Meanwhile, the anxiety of many minds attracted them to a third school, bearing the name of the New Academy, perhaps originally instituted as a nursery of doctrines midway between the two extremes described. Its adherents professed conformity to reason<sup>3</sup> as the means and the end of human attainments, at the same moment that they denied the security of its uses or its results. Carneades, more distinguished as the expounder, especially at Rome, than Arcesilaus, the founder, of the Academy, maintained that the probability of the truth was all that could be

<sup>1</sup> This is the most significant point of all. Compare what Cicero says of Epicurus, "Balbutientem de natura deorum" (De Divin., i. 3), with the resolute verses of the Epicurean Lucretius, i. 63 *et seq.*, v. 1197 *et seq.*

<sup>2</sup> See Ritter's Hist. of Ancient Phil., book XII. ch. 2.

<sup>3</sup> Τὴν μὲν γὰρ εὐδαιμονίαν περιγίνεσθαι διὰ τῆς φρονήσεως, κ. τ. λ. Sext. Emp., cited by Ritter et Preller, Hist. Phil. Gr. et Rom., sect. 419.



procured in science, ethics, or religion ;<sup>1</sup> and though the general system of the philosophers who called themselves the New Academicians was variously subdivided, the denied possibility of absolute knowledge was the common spring to every separate stream of opinion.<sup>2</sup> The toilsome resolution of the Stoics and the indolent trustfulness of the Epicureans came to a fitting termination in the scepticism and the lassitude to which the New Academy surrendered.<sup>3</sup>

The object of this summary review must not be mistaken for any thing more extensive than the exposition of the relation of the schools it enumerates to the Romans as men or citizens rather than as scholars. For to them, that is, to the highest of them, devoted, as they were, to conquests and to luxuries, the pursuit of philosophy, like that of art, was for a long time valuable only according to its increase of their ease, their entertainment, or their pride. If it could minister to the graces of the private individual, or to the powers of the orator over the Senate and the brawling Forum, or, again, to the majesty of the general and the governor in presence of the subject and the vanquished, it was then a necessary part of their education and their ambition.<sup>4</sup> But that it

<sup>1</sup> See Tennemann's Manual Hist. Phil., sect. 168, or the authorities cited by Ritter et Preller, *op. cit.*, sect. 423—425, and notes.

<sup>2</sup> See the preceding note, and compare Cic., Acad. Post., i. 12 ; Pr., ii. 21, 45 ; De Orat., iii. 18.

<sup>3</sup> "Perturbatricem autem harum

omnium rerum," says Cicero (De Legg., i. 13), "Academiam, hanc ab Arcesila et Carneade recentem, exoremus, ut sileat. Nam si," &c.

<sup>4</sup> See Cicero's accounts of his studies in Brut., 89—91 ; De Off., ii. 1 ; Tuscul. Quæst., iv. 26, v. 3 ; De Amicit., 5 ; Paradox., Proem.



could become, as the greatest of its votaries in Rome declared, the parent of works and words good in themselves,<sup>1</sup> was not until his own time considered as the especial recommendation of philosophy.

It was Cicero, indeed, in whom the thought of philosophy as the standard of right and wrong to its believers appears to have been preeminent. "Every correction of our frailties and our sins," he says, "is to be obtained from philosophy. As in the time when the pleasure and the duty of my youth impelled me to throw myself into its arms, so now, in this season of great misfortune, I have escaped, after being tossed by dreadful storms, into the same haven from which I departed. O thou philosophy, the guide of life, the searcher after virtue, the router of vice, what were we or what were human life without thee!"<sup>2</sup> If the eager philosopher belonged to any school in particular, it was to that of the New Academy; but he was rather an eclectic according to his own inclinations, accepting the theories of one system and the observances of another in proportions suitable to form the body of wisdom he had imagined as the ideal of earth and heaven.<sup>3</sup> This he would then have taught to his fellow-men, not, indeed, with the generosity of Socrates, who spake to all consenting to hear,<sup>4</sup> but with greater liberality than any other

<sup>1</sup> Cic., Brut., 93.

<sup>2</sup> And so on. Tuscul. Quæst., v.  
2. See Ibid., i. 26.

<sup>3</sup> "Princeps omnium virtutum illa sapientia ..... illa sapientia rerum est divinarum atque humana-

rum scientia, in qua continetur deorum et hominum communitas, et societas inter ipsos." De Off., i. 43.

<sup>4</sup> Vol. i. p. 212.



heart under declining heathenism could, perhaps, have conceived.<sup>1</sup>

The view embraced by Cicero of philosophy, as the highest law for mankind, has not yet been described in its completeness. At the head of all other principles he would have set the religion he received from his ancestors, reformed from some of its errors,<sup>2</sup> and lifted to an atmosphere in which the clouds upon some of its concealed realities appeared to be breaking away. It was permitted him to see that virtue might be its own reward;<sup>3</sup> it was even granted to his striving spirit to behold the evidences of a Creator or a Ruler of the universe.<sup>4</sup> But these were glimpses too often lost in tempestuous darkness to convince him of the truth that would have brightened his entire life. He fell back again upon his philosophy, and rested at last, if rest it could be called, upon the human mind, as the source alike of knowledge, of obligation, and of obedience.

“Thus anxious thoughts in endless circles roll,  
Without a centre where to fix the soul:  
In this wild maze their vain endeavours end.  
How can the less the greater comprehend?  
Or finite reason reach infinity?”<sup>5</sup>

The law of philosophy, like that of state or of religion, could have no other issue than was inevitable to every work of man shut out from sight of Heaven.

<sup>1</sup> See *De Divin.*, II. 1; *Tuscul. Quæst.*, II. 2; *De Fin.*, I. 2, 3.

<sup>2</sup> *De Rep.*, II. 14. *De Legg.*, II. 7. But especially the words he ascribes to Cotta, *De Nat. Deor.*, III. 2. Then see *Ibid.*, 15, and *De Divin.*, II. 3.

<sup>3</sup> *De Fin.*, II. 14. Cf. v. 24.

<sup>4</sup> *Tuscul. Quæst.*, I. 28. Cf. 29; *De Nat. Deor.*, III. 15; *De Fin.*, IV. 11.

<sup>5</sup> Dryden.



About the same time that Cicero, in retirement from the cares and struggles of public life, was devoted to this vain but striking search after a guidance he could trust, a poem appeared, aiming at the very heart of the faith to which he still adhered. It was the work of an ardent man, Lucretius Carus,<sup>1</sup> of whom it is the only actual history. He had seen the emptiness of mortal labours,<sup>2</sup> and the utter inability of mortal aspirations after communion with a higher nature and initiation in superior knowledge.<sup>3</sup> The doctrine of Epicurus concerning the inaction and the impassibility of the gods, who left the world to independence, loneliness, and infirmity, was the inspiration of the bard in times when the soundness of the philosopher seemed tried on all sides and indisputably established.<sup>4</sup> But though Lucretius had the courage to chant the desolation of the earth, he died by his own hand, as if he were himself the victim of the wretchedness he had pourtrayed.

Another poet, not yet, perhaps, so well known, as he flourished a few years later,<sup>5</sup> was formed under the influences of the profligacy which had long before

<sup>1</sup> Born in A. C. 95 ; died at about the age of forty years.

<sup>2</sup> De Rer. Nat., II. 14 *et seq.*

<sup>3</sup> Ibid., v. 1159 *et seq.*, vi. 49 *et seq.*, 67.

<sup>4</sup> "Primum quod magnis doceo  
de rebus, et arctis  
Religionum animos nodis exsolvere  
pergo."

Ibid., I. 930, 931.

"Mœnia mundi  
Discedunt, totum video per inane  
geri res."

III. 16, 17.

See, further, his detestation of religion in I. 81 *et seq.*, and his ideal of wisdom, II. 1 *et seq.*

<sup>5</sup> Born of good parentage at Verona, A. C. 87, Catullus came to Rome at an early age, and lived until at least the year 47. Carm.

LII.



prevailed. Valerius Catullus wrote, like almost all his countrymen, after the models of Grecian literature ; but his poems, in nearly every instance, are direct testimonies to the dispositions and the habits of his own people. Voluptuous and shameless though they be, they bear no mark of having been such as would leave a stain upon him by whom they were written, or as would imply an offence to those by whom they were perused and heard. The immodesty, the effeminacy, and the pollution of a race who were losing their liberty, their faith, and their virtue, were beyond the power of imagery or melody to conceal. Catullus feared nothing and respected no man. One of his coarsest songs was addressed to Porcius Cato ;<sup>1</sup> and some of his most bitter lines were aimed at Cæsar.<sup>2</sup> But it was his doom to live with few whom he could respect for virtue, and as is still more sad to remember, with none whom he could fear for vice ; so that neither his impurity nor his effrontery deserves to be registered against him personally.

Another phase of this waning period is manifest in the histories which Sallust<sup>3</sup> composed concerning the war with Jugurtha and the conspiracy of Catiline. If he wrote as the partisan of Cæsar, to whose favour he owed his own fortune, he could not have selected more appropriate subjects than the achievements of Marius in the war, and of Cæsar himself, who alone

<sup>1</sup> Carm. LVI. That directed to Cicero (XLIX.) seems entirely ironical.

<sup>2</sup> Carm. LIV. LVII. XCIII.

<sup>3</sup> C. Sallustius Crispus, born A. c. 86, joined the party of Cæsar, enriched himself by the plunder of Numidia, and lived in great luxury at Rome until the year 34.



resisted the sentence of death upon the conspirators, during their insurrection. Or if the historian turned of his own accord to memories like those connected with Jugurtha and Catiline, his preference was that likewise of his contemporaries. The voyager upon roaring seas will listen to the stories of shipwreck with greedier ear than to the tales which would bring before him the home, the paths, or the flowers he has forsaken. The history of wrongs was more congenial to the later Romans than that of virtues; and in the enormities which Sallust painted as though he had really hated them, the vices of his own life and of all his generation seemed to be excused. His pages, of which the literary merit is not within our province, are coloured by the times in which they were written as much as by those to which they refer; and the attitude he assumes, however studied or disguised, exhibits the history of a debased and broken age.

The history, the poems, and the philosophy bear the same general testimony to the prostrate virtues of the later years of the Commonwealth. Where laws were so feeble and duties were so violated, or, to say the truth, so altered, there could be but little liberty in existence. The people of Rome may not have known how sorely they were stricken; but whether they despaired or resisted, the hopefulness of their occupations, their thoughts, and their lives was departed.



# THE LIBERTY OF ROME.

THE

## LIBERTY OF ROME.

### BOOK IV.

#### PERIOD OF OVERTHROW.

A. C. 59—A. D. 14.

"The Romans had reason to dread that the disjointed members would soon be reduced by a civil war under the dominion of one master."—GIBBON, *Decline and Fall*, ch. 6.

"Ed ecco innanzi a' pensieri aprirsi volume vasto, immenso, scritto col sangue romano."—VERRI, *Notti Romane*, coll. III.







# THE LIBERTY OF ROME.

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## BOOK IV.

### PERIOD OF OVERTHROW.

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#### CHAPTER I.

##### CÆSAR.

“The laurels that a Cæsar reaps are weeds.”—COWPER, *Task*, VI.

JULIUS CÆSAR, left, as we have read, to assail the laws from which Catiline had been repelled, was endowed with all the powers, as well as all the vices, most adapted to his age. None were greater in intellect, none more fervid in ambition, than he, at the same time that he plunged as deeply as any into luxuries and debaucheries. He received the billets-doux of his mistresses, the noblest matrons in Rome, while he sat amongst their brothers or their husbands in the Senate.<sup>1</sup> On his departure, deep in debt, for Spain, he lacked an enormous sum, as he said, “to be worth nothing.”<sup>2</sup> He was so careful of his appearance, that Cicero declared he could not believe a man of such nicety about his hair could ever think of

<sup>1</sup> Plut., *Cat.*, 24.

<sup>2</sup> App., *Bell. Civ.*, II. 8.



overthrowing the Commonwealth.<sup>1</sup> But the same man was utterly neglectful of his integrity, yielding or resisting, destroying or befriending, according to his own caprices or determinations, of which the selfishness was most profound at the very moment that their generosity appeared most fair and calm. The same one who would have wasted a hundred patrimonies boasted of being sprung from kings on the mother's side, and on the father's from the immortal gods.<sup>2</sup> And he who opened his love-letters before the Senate would weep, in reading the history of Alexander, to think he had as yet done nothing to be compared with the exploits of the mighty conqueror.<sup>3</sup> Something of his wonderful audacity has appeared in the preceding pages; the following will relate his overthrow of liberty at Rome in his own exaltation as a sovereign on earth and a deity in the heathen heaven.

The Triumvirs, whose association has been described as the design of Cæsar at the time he intended to gain the mastery over Pompey, the single superior he had to fear, were three in number, but only one in will. The submission of Crassus, though speedier, was no surer than that of Pompey, while that of Pompey scarcely even preceded the subjugation of the Commonwealth. For of the nation, as of the three confederates, Cæsar was the one to perceive the inevitable issue of the weakness, the discord, and

<sup>1</sup> Plut., Cæs., 4. Cf. Suet., Cæs., 45.

<sup>3</sup> Plut., Cæs., 11. See also Suet., Cæs., 7.

<sup>2</sup> Suet., Cæs., 6. Vell. Pat., ii. 41.



the corruption by which he was surrounded ; or else, without foreseeing the destiny of his country, he was the individual most resolved upon his own.<sup>1</sup>

Before, as it appears,<sup>2</sup> the formation of the triumvirate, Cæsar, then at the age of forty, was elected to the consulship<sup>3</sup> by the votes, not only of the populace, but likewise of the Knights, and even of some Senators, already broken from the bonds which Cicero, as we have seen, in vain contrived. The great object with the new Consul was to increase the number of his supporters amongst the higher citizens, and thus to prepare his independence of all connection with Pompey or any other individuals to whom the Knights or the stray Senators were now attached rather than to him. At the same moment, neither the confidence of Pompey nor the favour of the multitude was neglected in his policy, of which a short account will exhibit the extent and the consequences.

The acts of Pompey in the East were ratified ;<sup>4</sup> and he, pleased with his state, in public, but more delighted with his newly married wife, Cæsar's daughter, Julia, was content for the time to live rather as the son-in-law than as the associate or the superior of the aspiring Consul.<sup>5</sup> An agrarian law was passed in the midst of great tumults, and twenty commissioners were appointed to divide the Campanian

<sup>1</sup> The motives of the different Triumvirs are variously described in the old authors : *e. g.* Flor., iv. 2 ; Vell. Pat., ii. 44 ; Plut., Crass., 14.

<sup>2</sup> Vell. Pat., ii. 44.

<sup>3</sup> For A. c. 59.

<sup>4</sup> Plut., Pomp., 48.

<sup>5</sup> Ibid., 47, 48 ; Cæs., 14. Dion Cass., xxxviii. 4, 5.



domains of the Commonwealth among twenty thousand citizens.<sup>1</sup> Of this number a large part, it is said, consisted of Pompey's soldiers, who thus became as much the admirers of Cæsar as any of the people. Above all, the Knights were gained over by rescinding the contract concerning the Asiatic revenues,<sup>2</sup> of which they had in vain attempted to get relieved before the present consulship. The greater the stir excited by these various measures, the bolder and the more commanding was the position of the Consul. Vain were the exertions of the Senate, under the lead of their champion, Calpurnius Bibulus, whose election as Cæsar's colleague had been procured by open bribes. Besides the support of his multitudinous partisans, Cæsar employed a score of men devoted, body and soul, to his desires, and furthermore maintained a troop of followers on whom he could rely for the execution of any violence he might command.<sup>3</sup> Bibulus finally shut himself up in his house, where the Senate, whom Cæsar refused to convene, met from time to time, to issue edicts, in their Consul's name, against the proceedings of his colleague, already the master, temporarily at least, of Rome.<sup>4</sup> Pompey still looked on, not because he wished

<sup>1</sup> Dion Cass., xxxviii. 1. Suet., Cæs., 20. Cic., Ad Att., ii. 2, 7, &c.

<sup>2</sup> Cic., Pro Planc., 14. App., Bell. Civ., ii. 13.

<sup>3</sup> App., Bell. Civ., ii. 10.

<sup>4</sup> The common saying ran, that such things were done, "Julio et Cæsare Consulibus." Suet., Cæs.,

20. Which, as the Lemaire editor remarks, is the same as the French "consulat de Napoléon et de Bonaparte." See Dion Cass., xxxviii. 8.

One of Cæsar's measures was to cause the publication of the proceedings in the Senate and the assemblies of the people. Suet.



to transfer his part to his new father-in-law, but because he thought there was none to strut an hour with him on the stage where he was tired, perhaps, of walking alone. Such men as Crassus were devoted to Cæsar, trusting that Cæsar would soon be devoted in return to them; while such as Cato were struggling,<sup>1</sup> as if mere resistance, without any counter achievements, could withstand the steady advances of Cæsar, supported as each was by a dashing operation to delight his followers, to persuade the neutrals, and to conciliate his foes.

At or before the beginning of this redoubtable consulship, the Senate, by whom the assignment of the provinces was annually made to the different magistrates, put upon Cæsar the charge of the Woods and Roads, as the meanest of all the appointments within their sphere.<sup>2</sup> It was a part of their policy, apparently, to provoke him; it was certainly a part of his to triumph over them. One of the Tribunes, engaged in his service, soon brought a resolution before the Tribes to the effect that Cæsar should have Illyria and Cisalpine Gaul as his provinces, with the command of three legions, not for the usual term of a twelvemonth, but for five good years. At this, the Senate, as if alarmed by the thought of the hostility they had excited in a man whose power could not be restrained, added the command of another legion and Transalpine Gaul for the same period.<sup>3</sup> Imme-

Cæs., 20. It now seems strange that this should never have been done before.

<sup>1</sup> Plut., Cat., 31—33; Cæs., 14.

<sup>2</sup> Suet., Cæs., 19.

<sup>3</sup> Suet., Cæs., 22.



diately upon the expiration, however, of the consular year, Cæsar was accused before the Senate, as though the course of this wavering body had changed again ; but the prosecution was directly abandoned.<sup>1</sup> He then left the city as Proconsul, but waited awhile without the walls, partly, perhaps, to crush another effort to prosecute him, but chiefly, as is probable,<sup>2</sup> to lend his aid in the attack of Clodius upon Cicero.

"I will think no more," wrote Cicero from his retirement during Cæsar's consulship, "no more about the Commonwealth. . . . I will depart from these men who are weary of me, to visit Alexandria and the rest of Egypt. . . . I have my books at Antium to amuse me, or I can count the waves."<sup>3</sup> "I was weary," he says again, "with steering, even when it was in my power ; but now that I am compelled to leave the ship, and that the rudder has been wrenched from my hands, I wish to see from the shore the shipwreck of those other helmsmen. . . . The only hope is in their disagreement amongst themselves."<sup>4</sup> But a little later, the faintness of his hopes sinks to profound despair. "The Commonwealth," he writes, "is utterly lost."<sup>5</sup> It would seem, at first, as if this downcast spirit could have been no object of distrust, much more of dread, to Cæsar or to any of the turbulent and designing men whose names need not be

<sup>1</sup> Suet., Cæs., 23.

<sup>2</sup> As would be certain but for Dion Cass., xxxviii. 11, 12, 17. His statement, that Cæsar was not in favour of Clodius's proceedings, is altogether incredible. See Plut., Cæs., 14.

<sup>3</sup> Ad Att., ii. 4, 5, 6.

<sup>4</sup> Ibid., 7.

<sup>5</sup> Ibid., 21. "De republica quid ego tibi subtiliter? tota periit." Further see letters 23, 24, 25



here repeated. But sorrowful as Cicero really was, and prepared, as he professed to be, for obscurity and personal contumely, he was the only citizen to lament, with any reason, the degradation of his country ; and his patient remonstrances, as Cæsar knew, were more to be feared than all the uproar which Cato, with impetuous indignation, or other adversaries, with selfish or party courage, could arouse. The appointment of commissioner under the Agrarian law, and that of lieutenant in Gaul, were both offered to Cicero,<sup>1</sup> and both refused. He could not be persuaded, and as he could not then be despised, he was assailed.

The name of Publius Clodius Pulcher, by whom the assault was conducted, is prominent above all others in the history of the years succeeding to that of Cæsar's consulship. He was by no means one of Cæsar's instruments and nothing more ; but was rather the representative of a numerous class, whom Cæsar might sometimes lead, but by whom in their waywardness and profligacy he would yet at some times be opposed, until he became rich enough to buy them with his gold or fierce enough to crush them by his arms. The liberty of Rome before its overthrow was consummated is to be estimated, in great part, by the spirit which such as Clodius exhibited. He was a younger son of an Appius Claudius, and therefore of a most illustrious family ; but after having been detected in a sacrilegious intrigue, for which he was brought to trial, he caused himself to be adopted into a Plebeian

<sup>1</sup> Cic., *Ad Att.*, ii. 18, 19, 20. Cf. *Plut.*, *Cic.*, 30.



family, and was elected Tribune for the twelvemonth following the consulship of Cæsar.<sup>1</sup> The favour of the Triumvirs, and that of the party to which Clodius, as the most audacious and the most polluted, suddenly became the leader, were requited in part by several laws in their behalf,<sup>2</sup> but chiefly by an attack upon Cicero, under cover of a bill to banish him who had put a Roman citizen to death without trial.<sup>3</sup> It was the reaction, congenial and necessary to the condition of the Commonwealth, from the momentary triumph obtained for its liberties over Catiline.

They who remember what manner of man Cicero would have been under holier influences than those of the law or the philosophy of his times will not care to read the miserable details of the conduct into which he was now driven by feebleness and alarm. He changed his robe, as if he had been expressly mentioned in Clodius's bill; and though sustained by a large proportion<sup>4</sup> of the Knights and Senators, he betook himself to the most abject entreaties for defence from those who were then in authority. These failing, he withdrew, in order, as he afterwards declared,<sup>5</sup> to save the city from the tumults that were sure to ensue if he remained, but more probably, as must be sorrowfully confessed, to save himself from

<sup>1</sup> A. C. 58. Cicero testified against Clodius at his trial. Ad Att., i. 16. Plut., Cic., 28, 29.

<sup>3</sup> Digest. Lib. XLVIII. Tit. i. 2. With Cic., Ad Att., III. 4; Plut., Cic., 32; Vell. Pat., II. 45.

<sup>2</sup> See the enumeration in Dion Cass., XXXVIII. 13; and compare Cic., in Pis., 4, 5.

<sup>4</sup> Plut., Cic., 31. Cic., Post Red. ad Quir., 3.

<sup>5</sup> Post Red. in Sen., 13.



the terrors in which the whole strength of his soul was shivered.<sup>1</sup> His flight armed his enemies as much as it disarmed his friends; and a law was passed on the same day, exiling him until the conspirators whom he had executed should be restored to life.<sup>2</sup> Cato was absent on a mission to Cyprus,<sup>3</sup> or he would have defended the man whom he had called the Father of his Country. Pompey and Crassus both regarded the shame of Cicero with unconcern; while Cæsar, satisfied that there was none with whom he could not easily cope at a convenient season, set out, at last, for Gaul.

After seventeen months of wretched longing, and still more wretched grief, in which he repented of everything he had done, and even of the life that was yet before him,<sup>4</sup> Cicero, no longer feared by Cæsar, and upheld with some show of liberality by Pompey, was recalled. The most terrible scenes<sup>5</sup> of tumult and bloodshed occurred upon the movement in his behalf; for though the better classes both of the aristocracy and the people were anxious to repair the injustice of the preceding year, the faction which Clodius had led was sufficiently resolute to oppose the general will as well as the inclinations of Pompey.<sup>6</sup> The restoration of the exile to his home and

<sup>1</sup> Appian (Bell. Civ., II. 15) compares the behaviour of Cicero with that of Demosthenes.

<sup>2</sup> Cic., Post Red. in Sen., 2.

<sup>3</sup> Plut., Cat., 34.

<sup>4</sup> "Me valde pœnitet vivere." Ad Att., III. 4. His expressions

are stronger still in another letter, III. 7.

<sup>5</sup> A. C. 57. Καὶ σφαγαὶ κατὰ πᾶσαν, ὥς εἰπεῖν, τὴν πόλιν ἐγίγνοντο. Dion Cass., XXXIX. 8.

<sup>6</sup> Whose dignity and personal safety had been previously threat-



his possessions was carried; and he, "brought back," as he declared, "upon the shoulders of Italy,"<sup>1</sup> returned to promise that "of his former fortitude in defending the Commonwealth nothing should be wanting,—nay, that it should rather be more bravely defended than ever."<sup>2</sup> But the day for men who could not wholly rely upon themselves was past; and within the next few months the tone of Cicero was once more changed. "What can be viler," as he wrote, "than our lives, especially than mine? . . . . If I speak what I ought concerning the Commonwealth, I am considered mad; if what I must, servile; and if I am silent, I am said to be entrapped and overwhelmed."<sup>3</sup>

The complaint, it is true, may not be more literally trustworthy than the vaunt preceding it; yet we have deeds as well as words to prepare us for the doom of Rome. Cicero and Cato, for instance, were long on distant terms, because the former was eager to assail, and the latter was as eager to defend, on personal grounds,<sup>4</sup> the lawfulness of Clodius's tribunate. While such was the poor agreement amongst

ened by Clodius. Dion Cass., xxxviii. 30. Plut., Pomp., 48, 49. As for Cæsar's part in recalling Cicero, see Ad Att., ii. 18.

<sup>1</sup> Ad Quint. Frat., x. 1. "Incredibili concursu Italiæ." Ad Att., iv. 1. See the oration Pro Sext., 60, 61.

<sup>2</sup> Post Red. in Sen., 14.

<sup>3</sup> Ad Att., iv. 6. The following references to Cicero's letters

will lead the reader farther through the sunken fortunes of the Commonwealth:—Ad Att., iv. 15, 16; Ad Quint., ii. 15, iii. 2, 4, 5; Ad Div., i. 1, 7, 8, 9.

<sup>4</sup> Cato wished to maintain it, on account of his mission to Cyprus. Plut., Cat., 40; Cic. 34. Dion Cass., xxxix. 21, 22. While on this point, see the remarkable answer of the Haruspices, which Cicero records, Har. Resp., 19.



the staunchest of the older citizens, the best of the younger men were like the nephew of Cato, Marcus Junius Brutus, who was now approaching his thirtieth year without having proved his talents, except for some chosen studies and debaucheries.<sup>1</sup> The mass of either generation, whether high or low in rank, could only follow such examples in the absence or the weakness of all positive precepts concerning order and morality. If virtue and gentleness yet lingered about some favoured hearths, it was in concealment from the sneers of men who would not have imitated them, had they appeared. And thus the way lay open to the coming conqueror and emperor.

We are not bound to remark many of the events, scarcely to be entitled changes, which intervened between Cæsar's departure to Gaul, just after the banishment of Cicero, and his return, nine years later,<sup>2</sup> at the head of victorious troops, against his adversaries and his country. The conquest of Transalpine Gaul supplied him with the means of prevailing over his feebler antagonists, whether these were the Senators, by whom he was at first opposed, or Pompey and his particular adherents, by whom he was at last aroused. But the occurrences we are now to observe in part cannot, on either side, be regarded as of so direct a tendency towards the subjugation of Rome as the disposition of the victor, so resolute, so self-relying, and so self-adoring. It was in times when nothing remained for men to trust in but their own

<sup>1</sup> De Vir. Ill., LXXXII. Plin., Epist., v. 31. Martial, Epig., ix. 51.

<sup>2</sup> A. C. 58—49.



souls, nothing to labour for besides their own interests, that Cæsar triumphed at Rome.

The famous campaigns in which the Gauls were conquered, and the Roman arms were pushed on the one side into Germany, and on the other across the Channel to Britain, resulted naturally in greater gains to Cæsar than to Rome. He could have won no higher reputation than by overcoming on their own ground the barbarian hosts, against whose kindred or homogeneous tribes his ancestors had scarcely succeeded in defending the soil of their own Italy. No ways could he have more completely obtained the obedience and the homage of the soldiers whom it was necessary for him to secure, than in camps, of which the dangers seemed to be dispelled only by his presence, or in marches and battles, through which he apparently served as much as he commanded, being not merely the head, but the hands and feet, of his army.<sup>1</sup> The legions of the Commonwealth being insufficient, at last, to contain his gathering followers, he enrolled others, which he paid himself, and even formed one from his conquered Gauls ; at the same time doubling the pay of his veterans “for ever.”<sup>2</sup> The troops of every rank were thus prepared to make his will their own ; and when the moment came to prove their allegiance to him or their devotion to the Commonwealth,—of which scarcely half of them were citizens,<sup>3</sup> —there was none, officer, soldier, or

<sup>1</sup> Plut., Cæs., 17.

<sup>2</sup> Suet., Cæs., 24, 26.

<sup>3</sup> And, as the late French Minister of War, Lamoricière, de-

clared in the National Assembly, on the twenty-first of October, 1848 :—“ Si vous avez des armées qui ne se retrempent pas constam-



sutler, to hesitate in obeying Cæsar's orders as if these were the only laws they knew. One other of the instruments that Cæsar needed to overthrow his antagonists and the crumbling liberties of his country was also found in Gaul, where the plunder, the speculation, and the tributes by which he profited through eight long years filled up continually the purses he was as continually emptying in magnificence and bribes.

Of these occurrences Cæsar was himself the historian. In his Commentaries, as he called them, upon the Gallic War, the various scenes of his protracted and savage conflicts are brought to view as clearly as if we had been in his tent the day he overcame the Nervii, or had travelled with him when the only hope of safety to his army depended on the speed with which he could assist the blockaded legion under Quintus Cicero. But the more valuable and more interesting feature of the work is the impress of its writer that it bears, not only marking the Commentaries as his, but representing the character of the man himself, to whom the liberty of Rome was the freedom to come, to see, and to conquer his contemporaries. Some, it is true, observe upon the studied concealments of the narrative which Cæsar composed, and turn to other histories to learn the atrocities which devastated Gaul. But the simpler view to take of these omissions appears to be, that Cæsar did not think the deeds he had

ment dans la population, un jour le pays, elles opprimeront la liberté." arrivera où, au lieu de défendre



committed to be at any time worthy of censure, nor always even worthy of remark, in case their results seemed trifling in comparison with the difficulties of their performance. He acted as he pleased, butchering or pardoning his enemies, protecting or exposing his soldiers, cruel or merciful, honest or deceitful, according to his own desires ; but what he did, he wrote, if he chose, or passed it over, if he so preferred, because to him there were no rules by which he could be judged, either in his own heart or on the lips of his fellow-beings, but those of his own will or his own renown. Cæsar was a law to himself, and the only one he recognised, from the commencement of his life. At the end of his campaigns and Commentaries, when he was fifty years of age, he undertook to impose the same law upon the world around him.

It was a design he had long before conceived, and of which the execution, indeed, had some time previously been begun. The fame he acquired in Gaul was brought to bear upon Rome, where the repeated thanksgivings, each of unusual length, decreed by the Senate,<sup>1</sup> were like offerings of praise and glory to the absent general rather than to the unseen gods. His soldiers, such of them, that is, as were Romans, now and then strayed homewards to tell their stories of the wonderful general whom they served and worshipped ; and new recruits hurried away to catch a sight of him and give their lives in return for a word

<sup>1</sup> For fifteen days, at the end of so on, Cæs., Bell. Gall., ii. 35, A. c. 57 ; for twenty, in 55 ; and iv. 38, etc.



of commendation. So the wealth which Cæsar gained, though it did not hinder him from asking and receiving subsidies from the Senate,<sup>1</sup> was lavishly spent at Rome in purchasing the adherence of magistrates or eminent citizens,<sup>2</sup> while for the people he ordered games, largesses, and even the building of a new Forum.<sup>3</sup> His liberality was extended to the inhabitants of his provinces, raising those in Cisalpine Gaul to citizenship,<sup>4</sup> and others in the more lately conquered country above the reach of at least some evils ensuing upon their submission.<sup>5</sup>

The splendour, the munificence, and the heroism of Cæsar were the daily admiration of the multitude, as much as his power, his ambition, and his unscrupulous actions were the daily fear of those who clung to their own authority or to the shadowy name of their Commonwealth. But the fear excited him as much as the admiration; and when he came down to Ravenna, a year before the termination of his proconsulship, already extended, as we shall presently notice, from five years to ten, he determined to obtain the consulate, without disbanding his forces or entering the city. His ultimate projects were no longer to be concealed. The number of his followers was fast increasing, partly from the nobility, but chiefly from the populace;<sup>6</sup> while many of the principal persons

<sup>1</sup> As in the grant proposed by Cicero. *Pro Balbo*, 27.

<sup>2</sup> In some instances, through their favorite freedmen or slaves. *Suet.*, *Cæs.*, 27. *Dion Cass.*, *XL.* 60.

<sup>3</sup> *Suet.*, *Cæs.*, 26.

<sup>4</sup> *Plut.*, *Cæs.*, 29. *App.*, *Bell. Civ.*, *II.* 26.

<sup>5</sup> *Cæs.*, *Bell. Gall.*, *VIII.* 49.

<sup>6</sup> *Suet.*, *Cæs.*, 26. *Cic.*, *Ad Att.*, *VII.* 3. *Cæ.*, *ap. Epist. ad Div.*, *VIII.* 14.



in his provinces raised his ambitious aims yet higher by their dependence and their fealty.<sup>1</sup> It was said, in after times, that he often spoke of a civil war as a necessity;<sup>2</sup> and that, when the Senate first denied a demand he made, he struck the hilt of his sword, exclaiming, "This will give it me!"<sup>3</sup>

The rapid exploits and towering designs of Cæsar are partly to be explained by the movements of his adversaries. Departing from Rome, he left the Senate humbled, the triumvirate firm, Clodius devoted, and Cicero prostrate. On returning, though Cicero was still powerless, Clodius was dead, after more outrages than Cæsar could have desired or controlled; Crassus had fallen in Parthia;<sup>4</sup> Pompey was changed to an enemy; while nearly the whole Senate, with Cato, next to Pompey, at their head, were earnest against Cæsar to resist and to destroy him. The ill-will of the Senate and the resistance of Cato, who had some time before sought the consulship with the avowed purpose of compelling both Pompey and Cæsar to humility,<sup>5</sup> were according to the natural course of things as previously related. Pompey, by recurring to his former passion for active authority,

<sup>1</sup> Cic., *Ad Att.*, vii. 7. Suet., *Cæs.*, 28.

<sup>2</sup> Suet., *Cæs.*, 27.

<sup>3</sup> App., *Bell. Civ.*, ii. 25. The story is differently told in Plut., *Cæs.*, 29; *Pomp.*, 51. Cicero writes of the "terrores Cæsariani." *Ad Att.*, vi. 8.

<sup>4</sup> A. C. 53. Plut., *Crass.*, 16 *et seq.*

<sup>5</sup> Dion Cass., xl. 58. He failed in his canvass, because, says Plutarch, he would not take the common course to gain over the multitude. *Cat.*, 49. Cato proposed, at an earlier time, that Cæsar should be delivered over to the barbarians, in requital for the cruelties of which he had been guilty towards them. *Ibid.*, 51, and *Cæs.*, 22.



especially on the loss of his wife Julia, the strongest link between him and her father, Cæsar, was soon offended by the fame and the power of his younger associate. He had at first been contented with proconsular authority for five years over the markets;<sup>1</sup> and when Casar, two years after his departure for Gaul, came down to Lucca, on the frontier of his province, Pompey went thither, with Crassus and a throng of magistrates and Senators,<sup>2</sup> to renew the triumvirate, against which some feeble demonstrations had lately been made at Rome. Cæsar succeeded in having the term of his proconsulship doubled, besides obtaining a grant of money for the payment of his troops, so that his spoils were free for other uses. Pompey, however, was no less satisfied on receiving the provinces of Spain and Africa for five years, which were easily procured, as were also the measures in Cæsar's favour, in the consulship to which Pompey and Crassus were elected,<sup>3</sup> soon after the interview at Lucca, by the votes of Cæsar's numerous partisans. It was subsequently to this consulship and to the following year, when Pompey, engaged in building and opening a magnificent theatre at Rome,<sup>4</sup> preferred to leave his provinces to his lieutenants, that his wife died, and that he became restless and suspicious, especially of Cæsar.

<sup>1</sup> Liv., Epit., civ. Plut., Pomp., 49.

<sup>2</sup> Two hundred Senators, with one hundred and twenty lictors, says Appian, Bell. Civ., II. 17. So Plut., Cæs., 21; Pomp., 51. This was in the spring of A. C. 56.

<sup>3</sup> Pompey and Crassus were Consuls in A. C. 55. See preceding references, with Dion Cass., xxxix. 25—33; Liv., Epit., cv.; App., Bell. Civ., II. 18.

<sup>4</sup> Plut., Pomp., 52. Dion Cass., xxxix. 38. Cic., Ad Div., VII. 1.



He at once bestirred himself, and in the midst of intrigues and disorders on all sides, he was chosen to the consulship without a colleague,<sup>1</sup> as if it had been a dictatorship that he had claimed and obtained. The authority he thus acquired, however, was either less than he demanded, or more than he knew how to turn to his own advantage ; for, with the exception of prolonging his command in the provinces and securing a large yearly grant to himself as Proconsul, he merely threw out a few proposals of laws, in order to restrain the ambition of his absent associate, some of which only were carried into effect.<sup>2</sup> He married a new wife and admitted her father to share his consulship ;<sup>3</sup> he joined a new party, as it then was to him, and received the Senators into his confidence ;<sup>4</sup> and when the public and private connections between him and Cæsar were thus completely sundered, he entered into all the foolish measures which were urged against the authority and the prospects of his former confederate. His brain was more completely turned by the sacrifices offered for his recovery from an illness at Naples and the rejoicings with which he was welcomed on his journey homeward.<sup>5</sup> And though it was the very year of Cæsar's coming to Ravenna, determined, as all men saw, to

<sup>1</sup> A. C. 52. Plut. Pomp., 54.

<sup>2</sup> App., Bell. Civ., II. 23 ; where (24, 25) the general disturbance and the flight of many to Cæsar are described. Dion Cass., XL. 55, 56. Suet., Cæs., 26.

<sup>3</sup> Plut., Pomp., 55.

<sup>4</sup> See Vell. Pat., II. 47 ; App., Bell. Civ., II. 25.

<sup>5</sup> Plut., Pomp., 57. It had been better for him, as Velleius Paterculus suggests (II. 48), to have died.



make himself the sovereign of Rome, Pompey still fancied his own position so secure as to accept from the Senate the command of the public forces and revenues, with the assurance, on his part, that he had only to stamp his foot anywhere in Italy to raise an army.<sup>1</sup> As it turned out, his adversary was only obliged to stamp his foot in Italy to clear it of Pompey, the Senate, and their whole host.

"I see," wrote Cicero, just then returned to Italy, but not to Rome, from unhappy service in Cilicia,<sup>2</sup> "I see that our affairs are in great danger, and that we have to deal with a man at once thoroughly audacious and perfectly prepared. . . . The only hope of resistance is in a single citizen. . . . And they are all contending for their own authorities, to the hazard of the laws."<sup>3</sup> The Commonwealth, indeed, was become too narrow to hold both the colossal forms beneath whose legs the best and the worst of their compatriots were creeping about as underlings.

"It cannot be told," writes Cicero again, on his arrival at Rome, "how long is everything about us

<sup>1</sup> Dion Cass., XL. 64. Plut., Pomp., 57.

<sup>2</sup> He was sent to govern the province against his will, in consequence of one of Pompey's recent laws, which left a number of vacant provincial governments. Dion Cass., XL. 56. Cicero was appointed A. C. 52, and returned to Italy in 50. He did a great deal of good, and treated the Cilicians with moderation and justice, such as they had never before received at Roman

hands. He made a little fortune, notwithstanding. Ad Att., XI. 1; Ad Div., v. 20. Nor was he content to stay where he was useful, but longed for Rome (Ad Att., v. 15); his *dread* having been lest his term should be extended. Ibid., 21.

<sup>3</sup> See the whole letter (even these sentences being here transposed), Ad Att., VII. 3, and the other letters near it in the same collection.



here.”<sup>1</sup> Pompey was as eager<sup>2</sup> as Cæsar was ready to shed the blood of his countrymen ; and none who joined the one or the other saw any alternative for themselves but to submit, whether their leader should conquer or be conquered.<sup>3</sup>

Cæsar was, as has been mentioned, at Ravenna, with some of his best soldiers by his side and his whole army within his reach. Pompey was at Rome, supported by Cato, half trusted by Cicero, and obeyed by the Senate with their adherents in town and in country. The lower classes, and almost all the younger men, except of the nobility, favoured Cæsar, whose cause was as vehemently supported in the city as though upheld with his own voice or his own sword, by the creatures whom he had bought, body and soul, to do his will. Scribonius Curio was succeeded in the tribuneship, at the close of the year, by Marcus Antonius, whom he called Mark Antony ; and it would be difficult to decide which of the two, as a dazzling, a reckless, or a profligate man, would most accurately represent the party whom Cæsar led, or most strikingly contrast with the Tribunes of earlier days. After various parleys, messages, threats, edicts, and terrible commotions,<sup>4</sup> the Senate decreed

<sup>1</sup> Ad Div., VIII. 6. See Plut., Pomp., 53.

<sup>2</sup> Not only on the authority of Cæsar or of Cæsar’s mouthpiece (Bell. Civ., I. 4), but upon that of Cicero the Pompeian. Ad Att., VII. 8.

<sup>3</sup> “Depugna, inquis, potius quam servias ? Ut quid ? Si victus eris, proscribere ? Si viceris, tamen

servias ?” Cic., Ad Att., VII. 7. “Ex victoria quum multa malatum certe tyrannus exsistet.” Ibid., 5.

<sup>4</sup> For which see Cæs., Bell. Civ., I. 1 *et seq.* ; Dion Cass., XL. 62 *et seq.*, XLI. 1 *et seq.* ; App., Bell. Civ., II. 29 *et seq.* ; Plut., Pomp., 58 ; Cæs., 28—31 ; Ant., 5 ; Liv., Epit., cix. ; Flor., IV. 2.



unlimited authority to the magistrates, with Pompey at their head, in protection of the Commonwealth, as they saw fit to profess, against Cæsar as a public enemy.<sup>1</sup> Antony and Curio, flying for their lives, found him already on the southern side of the Rubicon, the boundary of his province, at Rimini.<sup>2</sup> He had five thousand men with him, and was in open war against his adversaries at Rome.

The complaints which Cæsar had reason to make on his own score, and the injuries to the Tribunes acting as his champions, were, in his times, grounds of demanding any redress he was able to procure. But the more urgent motive from which he acted was confessed, and not unwittingly, in the words he addressed to his attendants, when he paused a moment, as if in doubt, on the bank of the Rubicon:—"If I delay, my friends, to cross this stream, I shall be put to harm; but if I cross it, all men will suffer."<sup>3</sup> With his selfishness of judgment and of expectation, he could not hesitate to decide for himself against his fellow-beings. The passage over the Rubicon was followed up by such celerity and vigour in his operations,<sup>4</sup> that, while the great body of the lower citizens and slaves who composed the population of Italy looked on unconcerned, Pompey, with the Consuls and all his adherents in the Senate or of any class, was forced to fly to Brundisium, and thence

<sup>1</sup> A. C. 49. Cæs., Bell. Civ., i. 5; Dion Cass., xli. 3.

<sup>2</sup> Cæs. Bell. Civ., i. 8. Plut., Cæs., 32; Pomp., 60.

<sup>3</sup> App., Bell. Civ., ii. 35.

<sup>4</sup> Cæs., Bell. Civ., i. 13, 15, 23. Suet., Cæs., 34. Cic., Ad Att., vii. 22, viii. 3, 9, 14.



across the sea to Greece. In less than three months Cæsar was master of Italy. On arriving at Rome, he met the remaining Senators, and exhorted them in the persuasive language he could always use, to lay aside their fears, if any they had, and trust in him.<sup>1</sup> He addressed the multitude who thronged to see him in a similar tone, but promised a distribution of corn and money,<sup>2</sup>—more powerful arguments, as he well knew, than any explanations he could make before them. At the same time, he demanded complete submission; and there was but one Tribune<sup>3</sup> so bold or so blind as to attempt independence.

In four years more,<sup>4</sup> Cæsar was the sovereign of the whole Roman world. The first step taken by such a man and at such an hour was decisive; yet the rapidity of the next and the surety of the last strides he made were greatly owing to the irresolute-ness,<sup>5</sup> the ostentation,<sup>6</sup> and, above all, the separation of his antagonists. The best men in Pompey's train were soon disheartened. Cicero, first doubting, then joining the side which seemed to support itself the most upon the laws, soon repented, not merely of serving the ambition he perceived to be as threatening in Pompey as that which he resisted in the per-

<sup>1</sup> Dion Cass., xli. 15.

<sup>2</sup> Ibid., 16.

<sup>3</sup> Metellus, who attempted to prevent Cæsar from obtaining possession of the public treasury. Pliny (Nat. Hist., xxxiii. 17) tells over the plunder. See Plut., Cæs., 35; Pomp., 62; Cic., Ad Att., x. 4.

<sup>4</sup> From the spring of A. C. 49 to that of 45.

<sup>5</sup> See Cic., Ad Div., iv. 1, xiv. 14, and Ad Att., vii. 11, 12, 13, 21, 22.

<sup>6</sup> Their threats were those of madmen. Cæs., Bell. Civ., iii. 83. Cic., Ad Att., ix. 7, 9, xi. 6.



son of Cæsar,<sup>1</sup> but, further, of having armed himself at all in civil war.<sup>2</sup> Before he was seen, as he said, by Cæsar, he was forgiven;<sup>3</sup> for he could not be feared. So Cato, distrusted for his republicanism by the leader and the whole party to whom he adhered, and yet too obstinate to make his peace with the conqueror, died by his own hand<sup>4</sup> in the fourth year of the contest,<sup>5</sup> when scarcely a straw remained to which he could cling upon the then subsiding seas.

Cæsar, who readily pardoned Cicero, lamented that Cato should have grudged him the honour of saving his life.<sup>6</sup> The clemency he adopted towards all his opponents, though it sprang from an overweening consciousness of superiority rather than from any generous humanity, was one of the means by which he triumphed. "Let us try," he wrote to two of his partisans, "to recover the good-will of all, and to gain a lasting victory; since others have failed to escape odium or to retain their advantages the longer for their cruelty. . . . I am not going to imitate Sulla."<sup>7</sup> The difference between the earlier and the later conqueror was, that the example of Sulla's dominion had so quickened the ambition and so dictated the achievements of Cæsar from his youth, that

<sup>1</sup> Cic., Ad Att., VIII. 11; Ad Div., IX. 6.

<sup>2</sup> The sneer of the epitomiser of Livy (cxl.), "Vir nihil minus quam ad bella natus," is now to Cicero's praise. "Me discessisse ab armis," he says himself, "numquam poenituit." Ad Att., XI. 6.

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<sup>3</sup> Pro Ligar., 3. See Plut., Cic., 49.

<sup>4</sup> Plut., Cat., 54.

<sup>5</sup> A. C. 46. He was forty-eight years old. Plut., Cat., 70, 73.

<sup>6</sup> Plut., Cat., 72; Cæs., 54.

<sup>7</sup> Ap. Cic., Ad Att., IX. 7.



the sovereignty he established for himself in his manhood did not need to be planted or watered with the same ferocity that had been indispensable to his predecessor.

The clemency of Cæsar and the feebleness of his enemies were really the chief instruments of his success. But neither energy nor bloodshed could have been spared. In the year of his march upon Rome, and within a few days of his entry into the city, he departed to reduce the legions of his antagonist in Spain. Before his return, he received the dictatorship, which he held only long enough, eleven days, to secure his election to the consulship, and to obtain the passage of several laws in behalf of his followers and in favour of public tranquillity.<sup>1</sup> He then<sup>2</sup> made haste to reach Brundisium, and to sail, in defiance of winter storms, to the Grecian shore, where a campaign of several months resulted in the total rout of Pompey, with all his forces, at Pharsalia. The defeated leader fled to Egypt, where, on his arrival, he was slain, the day before his fifty-eighth birth-day, by order of the Egyptian court.<sup>3</sup> Cæsar pursued him from Pharsalia, but wept to hear his miserable end.<sup>4</sup> He could have ruled the world as safely without the murder of his humbled foe.

<sup>1</sup> Suet., Cæs., 41—43. Plut., Cæs., 37. Cæs., Bell. Civ., III. 2.

<sup>2</sup> A. C. 48.

<sup>3</sup> Plut., Pomp., 77—79. Cæs., Bell. Civ., III. 104.

<sup>4</sup> And put his murderers, or those whom he could seize, to death.

Plut., Pomp., 80. "Non possum," says Cicero, writing of Pompey's death, "ejus casum non dolere. Hominem enim integrum, et castum, et gravem cognovi." Ad Att., XI. 6.



The victor was detained by further victories in Egypt and Syria until near the close of the following year,<sup>1</sup> when, already invested a second time with the dictatorship, as well as with the consulate for five years,<sup>2</sup> he returned to restrain the disorders of his followers, particularly of Mark Antony, to whom, as Master of the Knights, he had intrusted the government of Italy.<sup>3</sup> The more obedient of his partisans, of every rank and every race, were rewarded with the highest honours; the old offices being enlarged to provide them with places, and the very temple of the Senate being opened wide to the crowd of aliens and soldiers pressing in.<sup>4</sup> It was but carrying out the doctrines which determined Cæsar's whole life, to prove that devotion to him, as the highest duty of his adherents, deserved the most abundant recompense. He was again, for the third time, elected Dictator, before the year expired.

During eight months more,<sup>5</sup> Cæsar was occupied in reducing the forces which, in alliance with Juba, the Numidian, still held out against his officers in Northern Africa. On his return, the Senate, totally his own, decreed a general thanksgiving of forty days, as well as the triumphs he had not yet celebrated for his various victories. At the same time, he was ap-

<sup>1</sup> A. C. 47.

<sup>2</sup> Dion Cass., XLII. 20.

<sup>3</sup> Ibid., 27 *et seq.* Plut., Ant., 9; Cæs., 51. Appian especially relates the suppression of a mutiny. Bell. Civ., II. 92 *et seq.*

<sup>4</sup> Suet., Cæs., 40, 41. Dion.

Cass., XLII. 51. So in the next year. XLIII. 27. The number of Senators was then increased to nearly nine hundred. See the story in Suet., 80, alluding to the number of strangers amongst them.

<sup>5</sup> To the middle of A. C. 46.



pointed Prefect of Morals<sup>1</sup> for three, and Dictator for ten years, with multiplied distinctions at the games and the elections, in the Senate, and even in the Capitol, where his statue in bronze was to be set, inscribed, "The Demigod!"<sup>2</sup> His triumphal processions, one for Gaul, another for Egypt, a third for Syria, and a fourth for Numidia,<sup>3</sup> bore him four times, in the highest state which mortal could sustain, up to the temple where his image testified to his immortality; while, below, the highest and the lowest of his countrymen, soldiers, citizens, women, slaves, were revelling in the games he ordered and the bounties he distributed unsparingly.<sup>4</sup> Even when these ceased, or rather paused, the erection of theatres, temples, and works too vast for the Commonwealth, as it was yet called, to have commanded, went on, as if the power and the wealth of the Dictator were supernatural. One more campaign was fought against the forces commanded by Pompey's sons in Spain; and for his final victory at Munda,<sup>5</sup> though it was won over his own compatriots, he triumphed for the fifth time in the face of the confounded, but still exulting, people.

Nor did the Senate stay their votes in completing the measure of his apparent glories. They hailed him

<sup>1</sup> "So styled," says Dion Cassius (XLIII. 14), "as if the title of Censor were too mean for him."

<sup>2</sup> Ἡμίθεός ἐστι. Dion Cass., XLIII. 14.

<sup>3</sup> Ibid., XLIII. 19. Plut., Cæs., 25.

<sup>4</sup> Suet., Cæs., 37—39. Dion Cass., XLIII. 21—24.

<sup>5</sup> In the spring of A. C. 45. Cæsar returned to Rome in the autumn.



their Liberator, and ordered a temple to be built to Liberty, at the same moment that they gave him the title of Imperator, once temporarily assumed by victorious generals, as if it meant Commander, but now, as signifying Emperor, more solemnly appropriated to the Consul for ten years, the Sole Censor for life, and the Perpetual Dictator of Rome.<sup>1</sup> Still further decrees, declaring him Father of his Country, and pledging both Senate and people to his safety, finally broke beyond the bounds of human homage, acknowledging him as the Julian Jupiter, and ordering a temple and a priesthood to be consecrated to his worship.<sup>2</sup> So fell the liberty, and so trembled the religion, of Rome and of the Roman world. In those "wide walks" through which the conquerors of heathen civilisation had marched from east to west and from north to south upon the earth, there was now but one man for those "that talked of Rome" to praise as their sovereign and to confess their deity.

Thus by their vices were the Roman people brought to servitude, not as if they were unwilling, but as if bondage had become more acceptable to them than liberty.<sup>3</sup> Seldom as they have appeared in the course of this history, drawn from writings but little concerned with their passions or their virtues, they vanish more utterly than ever in the persons of their

<sup>1</sup> Dion Cass., XLIII. 44, 45.  
App., Bell. Civ., II. 106. Suet.,  
Cæs., 76.

<sup>2</sup> Ibid., and Dion Cass., XLIV.  
4—8.

<sup>3</sup> "But what more oft, in nations  
grown corrupt,  
And by their vices brought  
to servitude,  
Than to love bondage more  
than liberty?"

MILTON, *Samson Agonistes*.



first Emperor<sup>1</sup> and his successors. Whether there were eyes wet with unseen tears for the loss of freedom and of honour, or whether the lips of the whole nation to which Cæsar belonged raised one unbroken shout for his magnificence, is no longer to be known. And in the few pages which will close our work we have only individual names to trace, in endeavouring to learn the extent and the character of the subjugation that has been achieved.

The power which Cæsar obtained as Emperor was yet to be used for many other purposes than the entertainment or the bewilderment of the multitude. His work of plunder and massacre<sup>2</sup> had ceased; but the humiliation on which he was employed by Providence, in retribution for the past and in mercy to the future, still waited its completion by him or by others after him. The laws, however, which remain recorded as of his enactment, though carefully devised, some to prevent the needy from sedition or the rich from extravagant accumulation, and others to provide new posts of authority or to lay restrictions on existing offices, can scarcely be regarded as any fair representation of his policy.<sup>3</sup> Neither were

<sup>1</sup> "Cesare e Roma

Sono in due nomi omai sola una cosa."

ALFIERI, *Brut. Sec.*, att. i. sc. 1.

<sup>2</sup> For the plunder, see Suet., Cæs., 54; Vell. Pat., ii. 56; App., Bell. Civ., ii. 102. As Goldsmith says,—

"The wealth of climes where savage nations roam,  
Pillaged from slaves to purchase slaves at home."

For the massacre, see Vell. Pat., ii. 47, with Plin., Nat. Hist., vii. 25, concerning Gaul; and App., Bell. Civ., ii. 102, with Plut., Cæs., 55, 56, for the Civil War. At such horrors, as the same poet continues, "Fear, pity, justice, indignation start."

<sup>3</sup> The details may be found in Dion Cass., xli. 36—38; xlii. 51; xliii. 25—27, 47, 50; Suet., Cæs., 40—43. The division of laws into



such measures as the encouragement of marriage, the honour appointed to scholars, the reform of the Calendar, nor even such as the gift of citizenship to the people beyond the Po and in part to the Sicilians,<sup>1</sup> much more than the crumbs he brushed from a table spread with plans and far-extending aims. Only thrice after his first dictatorship of eleven days did he reside in Rome; once for three months, when he came back from the East; again, for a shorter time, on his return from Africa; and once more, during the five short final months of his empire and his life. Even in these brief sojourns, there were other cares on Cæsar's mind than such as any legislation for Rome or the provinces could put to rest. He may have resolved upon possessing these, as his dominions, in security; but his visions of power reached from the known and measured world about him into yet unvisited realms. The sway he already possessed, in the midst of that multitude of men and women fed at public cost, whose numbers, even as limited by his own law, amounted still to one hundred and fifty thousand,<sup>2</sup> was only the beginning of a wider empire over subjects as fresh as these he ruled were weary and corrupted. Yet he was fifty-five years old.

The past, however, to such a man, was exhausted

those affecting the lower and those relating to the higher classes is easily made. But the time is passed when the changes in the forms or the statutes of the Commonwealth required to be successively enumerated.

<sup>1</sup> Cic., *Ad Att.*, xiv. 12. Tac., *Ann.*, xi. 24. Dion Cass., xli. 36. For the scholars—"omnes medicinam professores et liberalium artium doctores"—see Suet., *Cæs.*, 42.

<sup>2</sup> Suet., *Cæs.*, 41.



of its very memories; and the present, which had yielded him its utmost, was equally insufficient to satisfy his morbid longings. These he for a time, as if convinced of their impossibility, seemed labouring to suppress. He was apparently contented with commissions from the Senate to drain the Pontine Marshes or to cut through the isthmus of the Peloponnesus; while his own enterprises of building and planning improvements, collecting libraries, and completing a digest he had begun of Roman jurisprudence, were sufficient, it must have appeared, to task alike his thoughts and his energies, however vigorous or wild. But he was also openly preparing an expedition against the Parthians, from whose conquest he proposed to return with fire and sword along the Caucasus to Scythia and Germany, completing thus according to his amazed biographer, the circle of his territories by the ocean.<sup>1</sup> The idea was conceived, perhaps the mention made, of yet vaster empire, the centre of which might be at Alexandria or at Ilium;<sup>2</sup> while unknown nations were to be conquered, until the increase of its inhabitants and the expansion of its boundaries should be checked by reaching the ends of the universe.

Meanwhile, the power on which, as it were, he stood at Rome to overlook the world was sinking beneath the weight of his burdensome ambition. A certain Pontius Aquila did not rise from the seat he occupied as Tribune when Cæsar passed in tri-

<sup>1</sup> Plut., Cæs., 58. Suet., Cæs., 44. App., Bell. Civ., II. 110.

<sup>2</sup> Suet., Cæs., 79.



umphal array. "Take back," cried out the Emperor, indignant that the insolence of a Roman should contradict his imaginations of universal homage, "take back, then, Aquila, the Commonwealth!"<sup>1</sup> Two other Tribunes, Flavus and Marullus, removed a diadem from his statue, and called a man to trial for having hailed him king. The affront, as Cæsar thought it, was more than he could bear; and, at his command, the magistrates were both deprived of their tribunate, ejected from the Senate, and exiled.<sup>2</sup> "I am not king," was, nevertheless, his reply to some who greeted him with the royal title, "I am not king, but Cæsar!"<sup>3</sup> Yet there is no doubt, on the other hand, that the mere refusal of the kingly crown made him to a certain degree desirous of obtaining it; and the mighty ambition which marked out the universe for an empire was blasted by the feverish hankering for a diadem to wear in the city so soon to be deserted. None, however, could have foreseen, least of all Cæsar, who one day refused a guard for his protection<sup>4</sup> and on another bade men take his words for laws,<sup>5</sup> that the end was thus beginning. A young kinsman, the grandson of a sister, Caius Octavius, eighteen years old,<sup>6</sup> but already distinguished by the

<sup>1</sup> Suet., Cæs., 78.

<sup>2</sup> App., Bell. Civ., II. 108, 122. Vell. Pat., II. 68. Dion Cass., XLIV. 9, 10.

<sup>3</sup> App., Bell. Civ., II. 108. "Sur quel trône," asked Napoleon, "eût pu s'asseoir César? Sur celui des rois de Rome, dont l'autorité s'étendait à la banlieue de la ville?"

Sur celui des rois barbares de l'Asie, vaincus par les Fabricius, les Paul-Emile, les Scipion?" &c. Précis des Guerres de J. César, dicté à Ste. Hélène, p. 214.

<sup>4</sup> Dion Cass., XLIII. 41, XLIV. 7.

<sup>5</sup> T. Ampius, ap. Suet., Cæs., 77.

<sup>6</sup> Having been born in the con-



people for his beauty and by his uncle for his aspiring aims, was chosen as the heir of the Emperor, and sent, under the care of accomplished teachers, to learn the service of the camp at Apollonia. The title of Emperor, first in peace and war, with that of Chief Pontiff, first in religion, had been previously declared to be transmissible to the born or to the adopted son of Cæsar,<sup>1</sup> and the submission of Rome, of Italy, and the provinces appeared to be perpetual.

The same judgment is written over all usurpations, whether of an individual or of a multitude, in the uneasy or seditious spirit by which they are grimly saluted at their origin, and at length precipitated to ruin. But it by no means follows that the uneasiness or the sedition excited by oppression is itself of any more generous or more enduring nature. It chanced in Rome, at one of the appointments of magistrates, then made habitually by the Emperor or under his approval, that the office of City Prætor, sought with great earnestness by Cassius Longinus, was given to his brother-in-law, Junius Brutus. The lives of both these men had been spared by Cæsar; but neither of them thought of what they owed to him so much as of what he yet owed to them. Brutus, the same who was mentioned some time since as Cato's nephew, was now forty years of age; and though the avarice<sup>2</sup> and the debauchery of his times had not been wholly avoided, he was become a sober, industrious, and

sulship of Cicero, A. C. 63. Suet., Aug., 5.

<sup>1</sup> Dion Cass., XLIII. 44, XLIV.

<sup>2</sup> See Cicero's plain statements, Ad Att., v. 21, vi. 1—3.



visionary man, who loved the show of virtue and the name of independence. Soon after his nomination over Cassius to the prætorship, the statue of the elder Brutus, whom he claimed for an ancestor, was hung with the inscription,—“Would thou wert yet amongst the living!” Other writings were thrown upon his own tribunal :—“Sleep you?” “You are not Brutus!”<sup>1</sup> The secret of his character had been discovered; and when Cassius followed up the appeals he had originated to the conceit of ancestry and of excellence in his successful competitor, Brutus forgot who had been his benefactor and was still his friend,<sup>2</sup> in indignation that there was an Emperor above him and his fellow-Romans. Others like himself were already prepared by Cassius; and many more, upwards of sixty in all,<sup>3</sup> united in the conspiracy, of which Brutus took the lead, to murder Cæsar.

The final events in Cæsar's life have often been described, as if the only method of proving a love of liberty under his empire had been to engage in his assassination. But there remains a letter from an unknown writer,<sup>4</sup> addressed “To Caius Cæsar con-

<sup>1</sup> Dion Cass., XLIV. 12. App., Bell. Civ., II. 112. Plut., Brut., 9; Cæs., 62.

<sup>2</sup> Plut., Brut., 6—8; Cæs., 62.

<sup>3</sup> Suet., 80. Seneca's remarks are true, though he wrote them from any other motive than a desire to tell the truth. De Ira, III. 30. A full catalogue of the conspirators, compiled with all Dru-

mann's accuracy and tediousness, will be found in his *Gesch. Roms*, vol. III. pp., 693 *et seq.*

<sup>4</sup> It is sometimes attributed to Sallust, and is usually printed with his works. I should be glad to think that Cicero wrote it, and that any differences of style between it and his acknowledged compositions arose from his wish to leave its authorship unknown.



cerning the constitution of the Commonwealth," to prove the contrary. After reviewing, in manly language, the exploits and the powers of the Emperor, and insisting upon the magnitude of the work he had before him, the letter proceeds to more direct injunctions. Recommending the employment of the lower and the improvement of the higher classes, it contends, as if to secure both, that the authority of wealth must be restrained, and that the precious possession of freedom must be restored by means of activity and union.<sup>1</sup> "Up to this time," it concludes, "although you have done great deeds at home and abroad, yet your glory is the same as that of many brave men ; but if you shall save this city, so great in name and so wide in dominion, from its impending fall, who on the earth shall be greater, who shall be more renowned ?" <sup>2</sup> It was a truer patriotism thus to solicit Cæsar than to murder him.

The Emperor was warned of the conspiracy against his life ; but it was not for one who had trusted in himself against all the citizens and all the laws of the Commonwealth to fear a few "lean and hungry" subjects of his own. He relied, likewise, upon the gratitude of those whom he had saved from death, and of him especially whom he had also loved. "Will he not tarry," was his question in reply to those who mentioned Brutus as having joined the disaffected, "will he not tarry until this poor body be buried ?" <sup>3</sup> His confidence in Brutus, in his subjects,

<sup>1</sup> Capp. 7, 15, 18, 20, 21.

<sup>2</sup> Cap. 21.

<sup>3</sup> Plut., Brut., 8 ; Cæs., 62. One of Cæsar's great sayings was



and in himself was equally deceived ; and he fell, assassinated before the Senate, undefended.<sup>1</sup>

It was not the will of Almighty God, that, at a time so near the revelation of life and immortality, a man like Cæsar should even seem to have obtained, through devotion to himself, a lasting triumph upon earth. On the other hand, it is as mercifully apparent that the fall of heathen Rome, over which Cæsar had risen, was not to be reversed or delayed. The very testament of the murdered Emperor confirmed the fate he had brought upon the Commonwealth in his life-time. Large bequests of gardens and money were made to the people ; but the young Octavius, then Master of the Knights elect, was declared the adopted son and heir to whom the titles of the dead were to descend. And when Mark Antony brought forth the corpse of his master to the burial, the eulogy he pronounced consisted in greater part<sup>2</sup> of a mere rehearsal of the decree in which the Senate had lavished every honour, human and divine, upon the Emperor, and of the oath by which they had sworn obedience and protection. It was the same thing as to tell the multitude which thronged about the funeral pile, that, though there had been a conspiracy and a murder, no claims could be preferred, on any side, to liberty.

"Mori se quam timere malle." are in Plut., Brut., 7—17 ; Cæs., Vell. Pat., II. 57. So Suet., Cæs., 62—66. 86.

<sup>1</sup> March 15, A. C. 44. The details of the plot and its execution

<sup>2</sup> Suet., Cæs., 84. See Cic., Philipp., II. 36.



## CHAPTER II.

## THE CONSPIRATORS AND THE TRIUMVIRS.

“ A factious band agree  
To call it freedom.”—GOLDSMITH, *Traveller*.

“ César mort, il a été remplacé par Antoine, par Octave, par Tibère, par Néron.”—NAPOLEON, *Guerres de J. César*, p. 218.

WHEN Brutus came forward from the place where lay the body of Cæsar pierced with wounds, the Senators escaped in terror.<sup>1</sup> When he and the rest of the sixty conspirators went forth together from the Senate-house with bloody daggers and loud outcries,<sup>2</sup> the crowd without, like the Senators within, fled, frightened to hear the Emperor was slain. The panic seized the murderers themselves; and they hastened to the Capitol,<sup>3</sup> as to a watch-tower from which they could look down upon the confusion they had caused. The only design they had, after assassinating their benefactor and their master, was to save themselves, and to let their countrymen do what they could to join them or to revenge their deed. It was not liberty, then, that had been given back to Rome.

Some, however, rejoicing in the deed of blood or in the alarm by which it was followed, ran up to the Capitol, a few, perhaps, believing that the day of

<sup>1</sup> App., Bell. Civ., ii. 118.

<sup>2</sup> Dion Cass., XLIV. 19—21.

<sup>3</sup> Plut., Brut., 19.



liberation had actually arrived. Among the last was Cicero. At the moment of the assassination, he had heard his name pronounced amongst the murderers; and, forgetting his own profound submission to the Emperor, he felt nothing, as he said, but gladness<sup>1</sup> at the scene he stood beholding. Whether he joined the other Senators in their flight, or shewed a more undaunted spirit than they who were mostly Cæsar's creatures, he certainly soon followed the conspirators to their place of refuge, not, indeed, with sword or shout, but full of determination to enter upon the course which younger, and, as he believed them, braver, men than he had opened by their blows. While he and they and their adherents were taking counsel together, some urging activity and others recommending the attitude already taken, the streets were full of various rumours. Neither the soldiers nor the citizens, of whom the populace within or near the walls was then composed, would exult in the conspiracy, even though they might not arm themselves against the conspirators; and the day was ended in uncertainty and inaction.

On the morrow, the conspirators descended, together or in part, to the Forum, in order to address the crowds there moving to and fro, in ignorance of what might yet occur, almost of what had actually occurred. Brutus spoke first, to explain the reason of Cæsar's death; but though he was heard in re-

<sup>1</sup> "Quid.....præter lætitiā  
quam oculis cepi justo interitu ty-  
ranni?" Ad Att., xiv. 14.

Martiæ consolantur." Ibid., 4.  
See Ad Div., x. 28; Philipp., xii.  
13.



spectful silence, another of the conspirators, who attacked the memory of the murdered Emperor, excited so great a tumult, that the speaker and all his associates were obliged to hasten back to the Capitol. There Brutus, it is said,<sup>1</sup> dismissed all but the sixty conspirators, fearing an assault or a blockade, in which he knew that no number of old men could be of service. At the same time a mission was despatched to the partisans of Cæsar, who were already resolved to take possession of their master's authority ; and the night wore away in messages and preparations on either side. The city itself was lighted with bonfires ; and many of the magistrates remained at their posts as in the day-time.<sup>2</sup>

It is already plain that an enterprise consisting solely in a murder and supported only by a few irresolute and selfish individuals could have no other results than the substitution of anarchy in place of the despotism against which it had been directed. A day or two of indecision followed the first hours after the assassination ; but if there were then any doubt as to the termination of the conspiracy, there can be none to those who now read that Mark Antony, one of the Consuls at the time, had seized the papers of the Emperor,<sup>3</sup> and had been joined by Æmilius Lepidus, then Master of the Knights and long one of Cæsar's most devoted followers, at the head of the only forces in the neighbourhood.<sup>4</sup> The

<sup>1</sup> Plut., Brut., 18.

<sup>2</sup> App., Bell. Civ., II. 125.

<sup>3</sup> Plut., Ant., 15. Cf. App., II. 125.

<sup>4</sup> These had been collected by Lepidus, preparatory to his departure for the provinces assigned him



Senate, called together by Antony on the third day, decreed, at his proposal, a general amnesty ; but likewise ordered that the institutions and appointments of the Emperor were to remain unaltered,<sup>1</sup> while he himself should be worshipped as a god in heaven.<sup>2</sup> On the next day, the fourth from Cæsar's death, the Senate met again, to vote their thanks to the conspirators for the murder, and to Antony for having prevented the outbreak of a civil war.<sup>3</sup> Such of the conspirators as held any magistracies were solemnly reinstated, and appointed to the provinces to which their offices entitled them. To these, as must be observed, they had been appointed by Cæsar ; and it was through recourse to his authority that his murderers were now preserved and honoured.

The end, however, was not yet come. It has been mentioned how Mark Antony appeared as the mourner and the orator at Cæsar's funeral ; but it has not been told how the multitude was roused to fury, and how the flames of the burning pile spread about the Forum and roared with awful sound throughout the city.<sup>4</sup> It was the beginning of many strange and dangerous scenes,<sup>5</sup> by day and night, in which, as it seemed, the spirit of the murdered might be appeased. In the midst of growing tumults, the conspirators, they even who were among the magistrates of the

in Gaul and Spain. App., Bell. Civ., II. 118, 126.

<sup>1</sup> Ibid., 135. Plut., Brut., 19. Cic., Philipp., II. 35.

<sup>2</sup> Plut., Cæs., 67.

<sup>3</sup> Plut., Brut., 19 ; Ant., 14.

<sup>4</sup> Dion Cass., XLIV. 50. Plut., Brut., 20 ; Cæs., 68.

<sup>5</sup> Suet., Cæs., 84, 85. Dion Cass., XLIV. 51.



year, fled terrified from Rome,<sup>1</sup> where Antony remained in power as absolute as that which Cæsar had held a month before.<sup>2</sup> The restive servant was soon the wanton master. He seized the treasures collected for the Parthian expedition;<sup>3</sup> and obtaining sums nearly as enormous in return for the acts he forged in Cæsar's name, under the pretence of finding them amongst the Emperor's papers, he soon bought up his colleague in the consulship, many of the Senators, and more still of the legions and the populace. With formal authority from the Senate to act upon all things "appointed, decreed, and done by the Emperor,"<sup>4</sup> Antony, himself surrounded by guards,<sup>5</sup> wreaked all the outrages he chose to inflict upon the Commonwealth, undefended and with senses yet uncollected from its trance, as some had hoped it might be proved, of degradation. "There is now," wrote Cicero, "no shadow, no trace, of legal government."<sup>6</sup>

Meanwhile, the authors of the deed from which these greater dangers had arisen were at a distance, in safety, indeed, but with evident want of confidence, either in themselves or in any of their countrymen. Within two months from the murder, Brutus wrote, in his own name and in that of Cassius, to

<sup>1</sup> Plut., Brut., 21. App., Bell. Civ., II. 148.

<sup>2</sup> Plut., Ant., 15. Dion Cass., XLIV. 53. Two of his brothers were also in office, the one being a Prætor, the other a Tribune. Dion Cass., XLV. 9.

<sup>3</sup> Cic., Philipp., II. 37.

<sup>4</sup> See the letters, ap. Cic., Ad Att., XVI. 16.

<sup>5</sup> App., Bell. Civ., III. 5.

<sup>6</sup> Ad Div., X. 1. See also XII. 1; Philipp., I. 10, II. 42, V. 4.



Antony as follows :—" We ask you to manifest your intentions towards us more clearly ; for you cannot imagine we should be safe amidst your multitude of soldiers. . . . . It is plain," he adds, but it is difficult to believe him sincere or sane, " plain that we have had a view to the peace of our country from the beginning, without seeking any thing else besides a universal liberty." <sup>1</sup> Three months later, when the behaviour of Antony had excited the most mournful apprehensions, not only in the conspirators, but with all men who were still either thoughtful or ambitious, Brutus addressed him again. " We wonder," he says, " that you should have been so transported by passion as to reproach us with Cæsar's death. . . . . If we wished to excite a civil war, your language would nowise hinder us ; but you know that we are not to be driven to arms." <sup>2</sup> The strongest friends of the conspirators implored them to desist from their vanity and indecision ; <sup>3</sup> but as Cicero wrote, six weeks after the assassination, " we have been freed by illustrious men ; but we are not free." <sup>4</sup>

The arrival of Octavius, who must henceforth be mentioned under the name he assumed of Cæsar, a month or two after his uncle's fall, was the introduction of another competitor for power over the prostrate Commonwealth. Antony owed the place he

<sup>1</sup> Brut. et Cass., ap. Cic., Ad Div., xi. 2.

<sup>2</sup> Ibid., 3.

<sup>3</sup> Cic., Ad Att., xv. 4, 29 ; and above all, the account of Cicero's

interview with Brutus and Cassius, in the same letters, 11.

<sup>4</sup> Ad Att., xiv. 14. " Sublato enim tyranno," he says again (Ibid., 4), " tyrannida manere." So Ibid., xiv. 11.



held, not so much to his own recklessness or to the artifice he certainly exercised, as to his intimate relations with the murdered Emperor, whose memory yet ruled the populace, the Senate, and, above all, the soldiery of Rome. It was easy for Cæsar, young, handsome, and ambitious, to urge his claims of blood and of adoption to the succession of his great kinsman ; and though the idea of a new Emperor was not yet openly started, there can be no doubt of its having been cherished by Cæsar as the reality of a future day. If hypocrisy or coldness be talent, no man was ever more gifted than he, who began by fawning upon Cicero and Antony, the Senate and the army, with equal submissiveness, at the same time that he dreaded the soldiers, distrusted the Senators, hated Antony, and scarcely bore with the admonitions or the eulogies of the old man eloquent, the only being whom his adopted father had ever feared. The close of the year beheld both Antony and his younger rival in arms : Antony being declared a public enemy, and endeavouring to obtain possession of Modena and Cisalpine Gaul ; while Cæsar, appointed a Proprætor and a Senator,<sup>1</sup> was engaged with the Consuls and the forces of the Senate in the repulse of Antony, who fled early in the following year beyond the Alps to Gaul.

The foreground in the miserable and bloody spectacle, beginning with the murder of the Emperor

<sup>1</sup> Liv., Epit., cxviii. App., Bell. Civ., iii. 51. He was at the head of several legions which had gone

over to him from Antony. Dion Cass., xlv. 12, 13.



Cæsar, was thus immediately occupied by his favourite general and his chosen kinsman. It matters little, now, who were in the background, whether it were Lepidus, who had been early elected Chief Pontiff<sup>1</sup> and then sent on his march to Spain, or Sextus Pompey, the younger son of the great Pompey, who had escaped the fate of his father's adherents, and was, at Cæsar's death, in possession of the greater portion of Southern Spain. These, with Cicero, various of the Senators, and many of the military men on either side, must from time to time be named; but unless our interest be concentrated in the strife between Antony and Cæsar, at least from the overthrow of the conspirators, we are in danger of imagining that the cause at stake was somewhat more profound or more extensive than the elevation of the person who should become the Emperor of Rome, not to be murdered as the first had been, but to rule a universally humbled empire.

The next move, after those just rapidly described, in this great contest, was made by Cæsar, in determining to unite himself with Antony until he could act against him with greater security. Obtaining at once a pretext for turning against the Senate, in whose army he had fought his first campaigns, he marched upon the city with soldiers attached to him and caring nothing for the Commonwealth. With their aid he demanded and received the consulship, then vacant, for the remainder of the year,<sup>2</sup> and pro-

<sup>1</sup> Dion Cass., XLIV., 53.

<sup>2</sup> Ibid., XLVI. 45, 46. App., Bell. Civ., III. 94.



cured the election of a near relation,<sup>1</sup> named Quintus Pedius, for his colleague. A law of banishment was straightway carried against the murderers of the Emperor, and all by whom they had been joined;<sup>2</sup> and Cæsar, appropriating the money in the treasury, completed, as it were, the reparation due to his uncle's memory by paying the legacies bequeathed to the people by their sovereign. Leaving the city in charge of his colleague, Cæsar then set out to meet Antony and Lepidus, who were descending together into Italy. They had both been declared public enemies; but at the proposal of the Consul Pedius, the sentence against them was rescinded; nor was it long before the league, already planned between the two and Cæsar, was cemented near Bologna.<sup>3</sup> The most valuable provinces<sup>4</sup> were divided amongst themselves, after the example of the first Triumvirs; but the three now united assumed the whole power of the Commonwealth as Triumvirs "with consular power" for five years.<sup>5</sup> The title was no sooner conferred upon them by a law brought forward in the name of a Tribune, than its strength was tried in effecting proscriptions and massacres, to which each

<sup>1</sup> The son or the grandson of Julia, the Emperor's sister and the grandmother of Octavius Cæsar.

<sup>2</sup> App., Bell. Civ., III. 95. Dion Cass., XLVI. 48.

<sup>3</sup> It was now the autumn of A. C. 43. Ibid., 55. App., Bell. Civ., IV. 2.

<sup>4</sup> Lepidus was to retain Spain and Narbonese Gaul; Anthony

was to have Cisalpine and Transalpine Gaul; while Cæsar took Africa, Sardinia, and Sicily. Dion Cass., XLVI. 55. App., Bell. Civ., IV. 2.

<sup>5</sup> App., Bell. Civ., IV. 2, 7. "Tresviri reipublicæ constituendæ per quinquennium." Liv., Epit. cxx. Suet., Aug., 27.



Triumvir abandoned friends and brothers<sup>1</sup> to satisfy his associates, as if he, too, were satisfied.

One victim to these remorseless men was Cicero, the last twelvemonth of whose life had been ennobled by the devoted courage of his prime. Exulting, as we have seen, with much mistaken joy in the fall of Cæsar, to whom his weaker nature had long since been exposed, he united himself with the conspirators, in confidence, soon lessened, however, to lingering hope, that they were to save his country from further servitude. On the discovery of their utter imbecility, his spirits failed; he would have turned to Antony,<sup>2</sup> depended on Cæsar,<sup>3</sup> or even fled from Italy. In the full determination to make his way to Greece, he heard of so encouraging a change in the aspect of affairs, that the desires or complaints<sup>4</sup> of his friends were no longer needed to bring him back full of determination to do his duty, so far as he could see it, whatever courses other men pursued. Nor when, after arriving in the city, he found the cause of the Commonwealth, to which he still inclined as to an ideal state or one that might yet be made ideal, was feebler than ever in Antony's presence, did he then hesitate to turn upon the new

<sup>1</sup> Plut., Ant., 19. App., Bell. Civ., iv. 5 *et seq.* Dion Cass., XLVII. 3 *et seq.* Vell. Pat., II. 67.

<sup>2</sup> App., Bell. Civ., III. 4. See the letters, ap. Cic., Ad Att., xiv. 13. "Itaque stulta jam Iduum Martiarum est consolatio." Ibid., xv. 4.

<sup>3</sup> "Magna spes," he said, "est in eo." It was true; but the hopes of Cæsar and the hopes of Cicero were like opposite poles. Ad Div., XII. 23. See Ad Att., xv. 12; Philipp., v. 16—18; and Plut., Cic., 44—46.

<sup>4</sup> Cic., Ad Att., xvi. 7; Philipp., I. 3, 4.



tyrant with all the fervour of baffled yearning and wounded patriotism.<sup>1</sup> For a little while he was the ascendant leader of the better men, few as they were, in Rome. The old rejoiced in his recovery, and the young wondered to believe, at last, that the stories told them of the twenty years before were true. "One ship," he declared triumphantly, "now holds us all; and at its helm I stand resolved. O that its voyage may be prosperous! Yet, however blow the winds, I shall not cease to strive."<sup>2</sup>

The winds blew harder than he feared. "Small is the hope of our Commonwealth," he confessed with sinking voice, while Antony and Lepidus were driving down from the North; yet "it must not be said," he more cheerfully insisted, "that there is no hope at all."<sup>3</sup> His promise to be true himself, whatever might betide, was pledged again and again. "For I am of this mind," he wrote, "that, if my life is to be laid down in these exertions, I shall esteem it to be nobly ended."<sup>4</sup> The news of his proscription reached him at his villa in Tusculum. He first sought escape, with the intention of joining Brutus in Macedonia; but as he journeyed southwards, his heart sank, as if he were rather anxious to die where he had lived,<sup>5</sup> than to seek a foreign land and join

<sup>1</sup> "Fulgentissimo et cœlesti ore," says the glittering Paternulus, II. 64. Cicero describes his own position in his letters, *Ad Div.*, x. 28, XII. 25, but confesses that he wages war "non pari conditione." *Ibid.*, XII. 22.

<sup>2</sup> *Ad Div.*, XII. 25. See II. 5, XII. 28.

<sup>3</sup> *Ibid.*, XII. 9. <sup>4</sup> *Ibid.*, IX. 24.

<sup>5</sup> "Moriar," he is reported to have said, "in patria sæpe servata." *Liv.*, *Fragm.* cxx. ex M. *Sen.*, *Suas.*, VII.



in the bloodshed of his countrymen. Overtaken, at length, near Caieta, by the assassins sent in pursuit of him, he met his fate with a fortitude that had too often failed in the midst of the trials and perils through which he had attained to the age of sixty-three.<sup>1</sup> The head and hands were cut from the corpse, at Antony's command, and nailed above the rostra in the Forum of Rome.<sup>2</sup> Years after, Augustus spoke to his grandson of Cicero as a learned man and a lover of his country.<sup>3</sup> Centuries after, the Christian, remembering his warmth of heart and the love he bore towards his fellow-beings, may believe that Cicero was given to the world as an example of the highest character, and the widest usefulness that was possible upon earth before the opening of Heaven at Bethlehem and at Bethany.

The history of liberty in Rome terminates with the murder of its last true champion. But the judgment of its virtues and its crimes, in their relation to the providence of God and the progress of His creatures, cannot be made without beginning the history of the oppression that ensued.

When Brutus, who had fled with Cassius from

<sup>1</sup> December 7, A.C. 43. Plut., Cic. 47, 48.

<sup>2</sup> Plut., Cic., 49. Flor. iv. 6.  
 "Pende en el foro, triunfo de un  
 malvado,  
 La cabeza de aquel. . . . .  
 En los rostros, do aquella voz  
 divina  
 Fué de la libertad muro sa-  
 grado."—ARJONA.

<sup>3</sup> Plut., Cic., 49. "Si quis tamen," says the great historian, "virtutibus vitia pensavit; vir magnus, acer, memorabilis fuit, et in cujus laudes persequendas Cicerone laudatore opus fuerit." Liv., *Fragm., cit.*



Italy to take possession of the provinces allotted them in Syria and Macedonia by the Emperor they murdered, heard of the proscriptions at Rome, he said it was the fault rather than the misfortune of men who had submitted to the Triumvirs.<sup>1</sup> The ravages, nevertheless, which he and his associate committed in the East,<sup>2</sup> and the forces which they raised, were equally ineffectual to prevent their own overthrow, in the following year,<sup>3</sup> at Philippi, whither they were then pursued by Antony and Cæsar. Cassius was put to death, at his own command, by a follower, in the first engagement with his foes.<sup>4</sup> Brutus lived twenty days longer, to fight a second battle; but on the loss of this, he slew himself by night, exclaiming, "as he looked up to the starry heavens,"<sup>5</sup> that "virtue was nothing but a name!"<sup>6</sup> He had done his best, involuntarily indeed, to prove that it then could be no more.<sup>7</sup>

The real conqueror at Philippi was Antony; but Cæsar assumed his share of credit for the victory, and the two together soon after appropriated the provinces allotted the previous year to Lepidus, reserving Africa alone for their associate.<sup>8</sup> Antony, after tarrying awhile in Greece, went on to the East in search of plunder for his soldiers; and Cæsar re-

<sup>1</sup> Plut., Brut., 28.

<sup>2</sup> Ibid., 29.

<sup>3</sup> A. C. 42.

<sup>4</sup> Dion Cass., XLVII. 45.

<sup>5</sup> Plut., Brut., 51.

<sup>6</sup> Flor., IV. 7. Plut., Brut., 51.  
Dion Cass., XLVII. 49.

<sup>7</sup> Dante set him deep in the ice of the Inferno. XXXIV. 65.

<sup>8</sup> Dion Cass., XLVIII. 1. Lepidus had been left in the enjoyment of the consulship and the pontificate at Rome.



turned to Italy, with the intent of dividing and securing the lands already promised to the same troublesome but indispensable, followers. His first operations, however, after ejecting many families from their estates, and plundering the temples of the wealth he needed to satisfy his veterans,<sup>1</sup> were directed against the brother and the wife of Antony, who took part against him, as if he had already excited the jealousy of his elder confederate. They raised some forces amongst the disaffected,<sup>2</sup> and, seizing upon Perugia, sustained a siege of several months, until forced to surrender ;<sup>3</sup> Fulvia,<sup>4</sup> the wife, escaping in search of her husband, and Lucius Antonius, the brother, entering the service of the victor.

Whilst these events threatened to separate the Triumvirs, Sextus Pompey, who had been included in their proscription-lists, was in possession of Sicily, Sardinia, and Corsica ; and as he had a large fleet under his command, he easily prevented the transportation of the supplies on which Rome depended for its common food. At every new success of the Triumvirs, the number of Pompey's followers was swelled by fugitives, arriving with little else than breath, to be protected against the victors. After the fall of Perugia, an alliance would have been made

<sup>1</sup> A. C. 41. App., Bell. Civ., v. 13.

<sup>2</sup> Ibid., 12. Dion Cass., XLVIII. 4—6, 8, 9.

<sup>3</sup> A. C. 40. The city met with a terrible fate. Ibid., 14. Suet.,

Aug., 15. App., Bell. Civ., v. 48, 49.

<sup>4</sup> The widow of Clodius, and the bitter enemy of Cicero, as Velleius Paterculus says, "Nihil muliebre præter corpus gerens." II. 74.



between Pompey and Antony,<sup>1</sup> who was resolved upon hostilities against Cæsar,<sup>2</sup> had not the latter, keen towards every danger, hastened to receive his returning associate at Brundisium, where a new division of provinces<sup>3</sup> and the betrothal of his sister Octavia—the single fair or gentle figure in all these noisy and heartless scenes<sup>4</sup>—to Antony prevented the imminent rupture.

New difficulties, however, occurred. The proposal of renewing the attack which had, some time before, been made upon Sextus Pompey, aroused a great disturbance amongst the Romans,<sup>5</sup> too much harassed by taxes and losses to bear with the high prices of grain, sure to be again cut off by the projected war. The Triumvirs, accordingly, determined to grant the demands of Pompey,<sup>6</sup> and to invest him with a share of their authority, on condition of his insuring the supply of the Roman market and the safety of commerce on the Mediterranean. But the treaty, though celebrated with festivities amongst its parties, as well as by general rejoicings,<sup>7</sup> was soon broken; and hostilities immediately succeeded. Sardinia and Corsica were betrayed to Cæsar, who finally, after great danger to himself,<sup>8</sup> and through the prowess of his

<sup>1</sup> Dion Cass., XLVIII. 15, 16, 29.

<sup>2</sup> Ibid., 27.

<sup>3</sup> A. C. 40. All to the east of the Adriatic being assigned to Antony. Dion Cass., XLVIII. 28, 30. App., Bell. Civ., v. 65.

<sup>4</sup> See Plutarch's delightful account, Ant. 31, 53, 54, 57.

<sup>5</sup> Dion Cass., XLVIII. 31.

<sup>6</sup> Which were amnesty for his followers, with compensation and honours for himself. Dion Cass. XLVIII. 36. App. Bell. Civ., v. 72. This was in A. C. 39.

<sup>7</sup> App. Bell. Civ., v. 74.

<sup>8</sup> Suet., Aug., 16. Plin., Nat. Hist., VII. 46.



abler lieutenant, Vipsanius Agrippa,<sup>1</sup> obliged his adversary to fly from Sicily to the Eastern seas. The victory of his officer was crowned with the murder of Pompey at Miletus, by the officers of Antony.<sup>2</sup>

Before these fresh successes were all achieved, the triumvirate had been again renewed between the still resentful Antony and his more than ever aspiring colleague. It was agreed between them that their covenant should be prolonged for five years more,<sup>3</sup> without disturbing Lepidus in the possession of Africa, where he had for some time resided, content, apparently, with his inferiority to his commanding associates. On being summoned, however, by Cæsar to take part in the campaign against Pompey, he suddenly determined to prove his own importance; and though he came over to Sicily, he did not put himself under Cæsar's orders, but, making himself master of several towns and garrisons, he turned against his colleague, claiming his rights as a Triumvir. But he was no match for the man he dared to rival; and, as if his pretension had been a dream, he waked to find himself before Cæsar on his knees, deserted by his legions, deprived of his Sicilian cities and his African province, but graciously allowed to retain the pontificate at Rome.<sup>4</sup>

<sup>1</sup> Agrippa was and had been Cæsar's right-hand man. He advised him to go to Rome on his uncle's death; he supported him at Perugia; won victories for him in Gaul and Germany; and now defeated Pompey.

<sup>2</sup> A. C. 38—35. Vell. Pat., II. 79. Dion Cass., XLIX. 11, 18.

<sup>3</sup> A. C. 37. Plut., Ant., 35. Dion Cass., XLVIII. 54. App., Bell. Civ., v. 93 *et seq.*

<sup>4</sup> A. C. 36. Dion Cass., XLIX. 12. App., Bell. Civ., v. 126.



While Cæsar, putting Lepidus to shame and Pompey to flight, seized their resources in addition to his own, and at the same time rose to higher honours, or rather higher homage,<sup>1</sup> than he had yet enjoyed at Rome, Antony, lapped in the tyranny and the debauchery which he esteemed beyond authority, was with Cleopatra in Egypt, fast sinking below the ambition from which his eyes and steps had often swerved.<sup>2</sup> Yet the times were such that he could bear himself as though his capriciousness had been power and his sensuality greatness, in comparison with the utter humiliation of his countrymen or his allies.<sup>3</sup> The contest between him and his warier colleague, often delayed, but long expected, was begun the year before the battle of Actium, when an accusation was undertaken against Cæsar by one of the Consuls, at Antony's instigation. But Cæsar was able to retort with charges which obliged his accuser to fly the city,<sup>4</sup> and which were then so effectually supported by the unscrupulous publication of Antony's will,<sup>5</sup> that the people were infuriated and the Senate driven to a declaration of war against Cleopatra and of deposition against Antony.<sup>6</sup>

<sup>1</sup> Dion Cass., XLIX. 15, 16. App., Bell. Civ., v. 130—132. Besides his other achievements, Cæsar twice conducted his soldiers against the barbarians to the east and north-east of the Adriatic. Liv., Epit. cxxxI., cxxxII. App., de Reb. Illyr., 16 *et seq.*

<sup>2</sup> See Plut., Ant., 24—29.

<sup>3</sup> His inglorious expedition to Parthia (Plut., Ant., 37 *et seq.*) was but one of his errors. His

gifts to Cleopatra and the children whom she bore to him, his giving and taking away whole kingdoms in the East, were more serious charges against him at Rome. Plut., Ant., 36, 54. Liv., Epit. cxxxI. Dion Cass., XLIX. 32, 41, 50.

<sup>4</sup> A. C. 32. Dion Cass., L. 2, 3.

<sup>5</sup> Ibid. Plut., Ant., 58.

<sup>6</sup> Dion Cass., L. 4. Plut., Ant., 66.



If there were any left alive who had not yet made their submission to either of the combatants disputing the undivided control of Rome, they must have desired the victory of the younger, whose practised self-possession and pretended self-denial shewed favourably in contrast with the assumption and the distraction of the elder. On Antony's side were ranged the provinces of Greece, Thrace, Asia, Cyrene in Africa, together with Cleopatra's Egypt and various of the Eastern kingdoms ;<sup>1</sup> while Italy and all its islands, Illyria, Gaul, Spain, with northern and north-western Africa, were under the command of Cæsar.<sup>2</sup> The story of the war has no interest to redeem its usual accounts of disaster and blood. Cæsar, after repressing some tumults excited by his severe exactions in Italy, crossed from Brundisium, with large forces and the greater part of the Senate.<sup>3</sup> The campaign began with the successes of Agrippa, the lieutenant without whom it does not appear that Cæsar would have long been a commander ; and it was chiefly his ability, again, that insured the victory at Actium, where Antony appeared only as the paramour of Cleopatra, with whom he fled to Egypt, lost, and, in the sight even of his contemporaries, dishonoured.<sup>4</sup> Cæsar, after some operations in Greece and Asia, returned to Brundisium, where the Senate and great

<sup>1</sup> The list of which is in Plut., Ant., 61.

<sup>2</sup> Dion Cass. L. 6.

<sup>3</sup> Plut., Ant., 58. Dion Cass., L. 10, 11.

<sup>4</sup> Sept. 2, A. C. 31. See Shakpeare's Antony and Cleopatra, Act III. sc. 8.

<sup>5</sup> Dion Cass., LI., 4, 5.



numbers of all classes<sup>1</sup> from Rome attended him, as if to prove that he had only to shew himself in Italy to find it full of subjects. With them he tarried long enough to procure the money and the lands he required for his army;<sup>2</sup> and then proceeded in pursuit of Antony and Cleopatra, at whose death Egypt became a Roman province.<sup>3</sup>

Among the honours decreed to Cæsar, after his victories over Lepidus and Pompey, was one he had accepted with extraordinary gratification. It was an inscription upon a statue of himself to be placed in the Forum:—"For Peace restored after long Warfare by Land and Sea."<sup>4</sup> The peace which followed upon his final victories was bereft of bloom and joy; for it was the prostration of a world that had once been comparatively free.

<sup>1</sup> Dion Cass. LI. 4, 5.

Antony was fifty-one years old.

<sup>2</sup> "Donec desideria militum ordinarentur." Suet., Aug., 17.

Cæsar was but thirty-three.

<sup>3</sup> A. C. 30. Dion Cass., LI. 17.

<sup>4</sup> App. Bell. Civ. v. 130.



## CHAPTER III.

## AUGUSTUS THE EMPEROR.

“In the late times,” he said, “those must be thankful who have saved life and limb.”—SCOTT, *Waverley*, chap. XLII.

“Nil patrium nisi nomen habet Romanus.”—PROPERTIUS, *Eleg.* IV. 1. 37.

AT the time when the victory of Actium and the submission of Egypt decided the supremacy of Cæsar throughout the Western world, there was living on a Sabine farm, sometimes, indeed, abandoned for the not distant city, a poet in the prime of life, who had studied at Athens and fought under Brutus at Philippi. Twelve years had effaced in the man the transient enthusiasm that had attracted the scarce grown youth to the cause professing freedom; and the protection of Cæsar or Cæsar's friends was fresher in the memory of Horace than the vanity of Brutus or the devotedness of Cicero. “Now, then,” he sang aloud, “quaff, — now touch the earth with agile feet,—now fill the temple of the gods with feasts!”<sup>1</sup> The strains reechoed throughout Rome, amid the shouts of the victorious soldiery and the three triumphal celebrations<sup>2</sup> of the master for whom they

<sup>1</sup> Hor., *Carm.*, I. 37. Likewise another for Actium, and a third for Egypt. Dion Cass., LI. 21, 22. iv. 5, and *Epod.*, 9.

<sup>2</sup> A. C. 29. One for Dalmatia, Vell. Pat., II. 89.



had steeped their swords in blood. The temple of Janus was closed for the third time since the dedication, in sign of peace ; and the joy of the troops, the people, and the poet found issue with the Senate in decreeing new honours to the conqueror.<sup>1</sup> The only attempt against him, made by the son of his former colleague, Lepidus, was crushed before his return ; and the few conspiracies of after years were equally unsuccessful.<sup>2</sup> The cost of disturbing an Emperor had been proved by the fifteen years which intervened between the dreadful murder of the uncle and the magnificent entry of the nephew.

The victor himself was in some degree subdued by his success. The fate of the first Cæsar, occurring almost at the moment of his being left alone, as it were, in the world, may have given some anxiety to the second Cæsar, when he found himself in possession of the solitary power which he had long before determined to obtain. There was no further temptation, at all events, to cruelty or to conflict ; and he who had been the most unpitying and the most covetous of the Triumvirs was desirous to become the peaceful and the placable sovereign. Once before pretending his willingness to resign the authority he held as Triumvir,<sup>3</sup> he now professed to be in doubt concerning the retention of the dominion he alone controlled, and called his most trusted adherents, Agrippa and Mæcenas, to advise with him in his uncertainty.

<sup>1</sup> Vell. Pat., II. 38. Dion Cass., LI. 19, 20.

<sup>2</sup> Suet., Aug. 19. Vell. Pat., II. 88.

<sup>3</sup> After the flight of Sextus Pompey from Sicily. App., Bell. Civ., v. 132. Suet., Aug., 28.



These two great names open the history of the period in which the liberty finally gives way to the servitude of Rome. This is so, not merely because the counsels of Mæcenas and Agrippa enabled Cæsar to conciliate the different classes of his subjects, but chiefly because the principal of these classes are singularly represented in the chosen servants of their common sovereign. The only powers which seemed to find an opportunity for development in the present universal prostration were partly those inherent in the Romans as lovers of war or dominion, and partly those to which they now inclined as lovers of luxury. Without enumerating the common people or the still inferior orders by whom the empire was inhabited, there appear to have been two divisions amongst the more eminent Romans; one being that of the military or the political, the other that of the literary or the luxurious individuals, to whom anything like note or genius yet belonged.

Vipsanius Agrippa, already mentioned as the able general through whose exertions Pompey was driven from Sicily and Antony routed at Actium, is described, not only as the energetic soldier, but also as the active magistrate, ornamenting the city, amusing the citizens, and turning his popularity and his liberality to his own advantage, at the same time that he never neglected the service of his sovereign. Caius Cilnius Mæcenas, of higher birth,<sup>1</sup> but content to

<sup>1</sup> Hor., Carm., i. 1; Sat. i. 6.  
3. Propert., Eleg., iii. 9. He believed, or pretended to believe,

himself sprung from the Lucumos of Etruria.



remain amongst the Knights, early devoted himself to Cæsar,<sup>1</sup> and was early trusted in return. He served in the negotiations with Antony,<sup>2</sup> in the commissions from Cæsar's camps to the city,<sup>3</sup> and was finally employed to govern Italy in his master's absence.<sup>4</sup> But when the season of conflict and peril passed, Mæcenas gave up his life, rather than his leisure, to the luxurious delights which he much preferred to any lofty but toilsome dignities. He was the votary of wealth, indulgence, and intellectual culture, in blending which he escaped from the deeper sensualities of his times, without rising to any high spirituality, of which, however, the contemporary poems and histories were also totally devoid. A song, such as could then be written or comprehended, touched his fancy, if it had no power to reach his soul; and the breeze that breathed through his gardens on the Esquiline was a joy, though fresh to the senses alone of the lordly voluptuary. His learning and his luxury, nevertheless, allowed him to be humane; and it was to the compassion of Mæcenas that Cæsar listened, when he turned a deaf ear to his own natural barbarity.

Mæcenas and Agrippa were together charged with the government of Rome after the battle at Actium;<sup>5</sup> and their authority had not yet, perhaps, been resumed by Cæsar when he asked them whether he had better lay down his power or retain it in defiance of

<sup>1</sup> "Mæcenatis erunt vera tro-  
pæa fides."

Propert., Eleg., III. 9. 34.

<sup>2</sup> App., Bell. Civ., v. 64, 92.

<sup>3</sup> Ibid., 99, 112.

<sup>4</sup> Dion Cass., XLIX. 16. Tac.,  
Ann., VI. 11.

<sup>5</sup> Dion Cass., LI. 3.



the superannuated liberties of his country. Agrippa, ambitious and energetic, exhorted him to restore the Commonwealth; while Mæcenas, indolent and voluptuous, pleaded for the establishment rather than the abandonment of a single sovereignty.<sup>1</sup> There can be no doubt that Cæsar would have kept possession of his supremacy, although both his counsellors had united in imploring him to relinquish it; and it is equally certain, that, in following the advice which Mæcenas is reported to have given, he obeyed the Will that had humbled his generation to inactivity and servitude.

The imperial authority rose, like an exhalation, from the rent and bleeding soil of Rome. It seemed, however, to wear so many shapes before the eyes of those who watched its ascension, as to task the whole political vocabulary of its subjects that it might be rightly named. The title of Emperor, conferred upon Cæsar the year of his return,<sup>2</sup> was shortly followed by that of Father of his Country<sup>3</sup> and the yet more venerable<sup>4</sup> appellation of Augustus, or the August, by which he was afterwards addressed, as if the epithet distinguished him sufficiently from common men. Other titles were successively added, as though the

<sup>1</sup> See the long discourses, undoubtedly founded upon some that were actually delivered to Cæsar, in the fifty-second book of Dion Cassius.

<sup>2</sup> Dion Cass., LII. 41. See Dion's account of the imperial power in LIII. 17, 18—22.

<sup>3</sup> Suet., Aug., 58.

<sup>4</sup> "The more noble name of Augustus." Becker, Gallus, p. 16. "Sanctius et reverentius visum est nomen Augusti, ut scilicet jam tum dum colit terras, ipso nomine et titulo consecraretur." Last words in Florus. See Ovid., Fast., I. 590, 599.



power of the Emperor were running too freely for its first moulds ; and the offices of Perpetual Proconsul, Perpetual Tribune, Perpetual Consul, and Chief Pontiff<sup>1</sup> were hurriedly added to those already bestowed. The desire to invest the imperial majesty with the ancient badges of the Commonwealth was rather that of Augustus himself than that of the hasty multitude. He remembered his uncle's fate, provoked, as it may have seemed, by a wish to be called king ; and sooner than risk his authority and his life Augustus would have sunk every name, even that of Cæsar, which he bore, in the simple title of a Roman on whom his too easy countrymen had thrown the burden of their cares. Five separate times,<sup>2</sup> therefore, he chose to enact the part of wishing to resign his toils and dignities ; but so winning was his assumed humility that the power he would never really have laid down dilated to vaster proportions, and more, apparently, to the delight of the subjects than of the sovereign. The administration of the Emperor, at once so crafty and so timid, extended over the Senate as its Prince,<sup>3</sup> over the assemblies as their Tribune or presiding magistrate,<sup>4</sup> over the revenues,<sup>5</sup> the elections,<sup>6</sup> the laws,<sup>7</sup> the legions,<sup>8</sup> and

<sup>1</sup> Dion Cass., LIII. 28, LIV. 10, 27. Suet., Aug., 58. Note 4 *infra*.

<sup>2</sup> Dion Cass., LIII. 11, 16, &c. The hypocrisy of the edict quoted by Suet., Aug., 28, is yet more striking.

<sup>3</sup> Dion Cass., LIII. 1.

<sup>4</sup> Ibid., 21, 32. Suet., Aug., 27. Tac., Ann., i. 9, III. 56.

<sup>5</sup> See Gibbon, Decline and Fall, ch. vi.

<sup>6</sup> Dion Cass., LIII. 21, LV. 34. Suet., Aug., 56.

<sup>7</sup> Suet., Aug., 27, 34.

<sup>8</sup> Numbering 450,000 men. Ibid., 26. Dion Cass., LV. 23, 24. Niebuhr's Lectures on Rom. Hist.,



the provinces;<sup>1</sup> and finally, over himself, on his being formally exempted from all the laws, both new and old.<sup>2</sup> To the immediate service and protection of an authority so accumulated and a person so sacred a body-guard of Prætorian Cohorts, so called, was chosen from the flower of the army.<sup>3</sup> It was as the corner-stone of the whole huge fabric of the Empire, thus deeply and thus silently founded.

To aid, but not to control, the Emperor in his vast authority, a certain number of counsellors were, at first semiannually and then annually, selected from the Senate.<sup>4</sup> This body, which Augustus, acting as Censor, with Agrippa for a colleague, had reduced in numbers, and subjected to some new methods of appointment,<sup>5</sup> was more than ever submissive. But he accepted the privilege of consulting it at any time and under any form;<sup>6</sup> and in return, he preserved the aspect and the deference which were grateful, though they might not be due, to the successors of those who had resisted Hannibal and for a moment supported Cicero. So successfully was this tone preserved on the part of the Emperor, that there were

LIV. The number of citizens, A. C. 29, was 4,164,000.

<sup>1</sup> Divided, indeed, between the Emperor and the Senate; but his power extended over all. Dion Cass., LIII. 12, 13, 32. See Gibbon again, ch. i.

<sup>2</sup> Dion Cass., LIII. 28, LIV. 10. See Heinecc., Antiq. Rom. Jur., pp. 78 *et seq.*

<sup>3</sup> Suet., Aug., 49. Tac., Ann.,

IV. 5. Dion Cass., LIII. 11, LV. 24.

<sup>4</sup> Dion Cass. LIII. 21, LVI. 28. The adopted sons, and the stepson, Tiberius, of the Emperor were afterwards added to these counsellors.

<sup>5</sup> Suet., Aug., 35. Dion Cass., LII. 42, LIV. 13, 14, 17, 26, 35, LV. 13.

<sup>6</sup> Dion Cass., LIII. 28. Cf. LV. 34.



few who would have complained, as one of them did, in open session, of their inability to contradict even his opinion.<sup>1</sup> The same consideration was observed, and with the same effect, towards all the higher classes, on whom the shadows of some authority and influence yet seemed to descend. The magistracies of the Commonwealth were not abolished ; and Consuls, Prætors, and Tribunes were yearly chosen in the public assemblies. But the elections were made at the pleasure of the Emperor ;<sup>2</sup> and the functions of all the offices were totally altered.<sup>3</sup> One post alone, substituted in the place of the city Prætor, under the nearly similar name of the Prefect of the City, was invested with any extensive charge ; but it, likewise, was wholly in the gift of the Emperor.<sup>4</sup> Nevertheless, the show of magistracies and priesthoods yet remaining was sufficient to impose upon those who have written of their broken-spirited possessors, as well as upon these possessors themselves.

But the account we have taken of the imperial power with which Augustus was invested, and of the relations existing between himself and the other members of his government, though it is here necessarily precluded from any details, rests upon no conjectures. The subjection of the only class who could dispute the possession of authority with the Emperor was as profound as that of the populace or

<sup>1</sup> Suet., Aug., 54. Augustus prevented the acts of the Senate from being published. Ibid., 36.

<sup>2</sup> Note 6, p. 502.

<sup>3</sup> Suet., Aug., 36, 37.

<sup>4</sup> Tac., Ann., vi. 11. Dion Cass., lxxii 2.



the slaves. Asinius Pollio, who had crossed the Rubicon with Julius Cæsar, and adhered to the triumvirate from its beginning until the time arrived for him to follow Augustus, learned to employ his ambition, if he really had any, in literary<sup>1</sup> rather than in political pursuits. So Valerius Messalla Corvinus, who had veered from the conspirators to Antony, and from Antony to Augustus, with prudent inconstancy, employed himself afterwards in patronising the poets and in acquiring the tasteful accomplishments of his times.<sup>2</sup> Another distinguished name is that of Cornelius Gallus, early devoted to Augustus and greatly rewarded, until he dared to oppose or in some way to provoke the power that had raised him, when he fell. There could be but one impulse to stir the depths of feeling or to reach the heights of action in lives like these ; and that one was submissiveness.

The same key predominates in the poetry of the age. Virgil left the fields which he once could call his realms<sup>3</sup> to seek for favour at Rome. The freshness of the shade and the hum of bees disappear ; and the highest strains of his epic song describe the golden age beginning upon earth<sup>4</sup> under the Trojan Cæsar, whose empire had no bounds but the ocean,

<sup>1</sup> In which he was greatly distinguished as an orator, a poet, and an historian. He was the first to establish a public library in Rome. Plin., Nat. Hist., xxxv. 2.

<sup>2</sup> He was appointed to the prefecture of the city, but, as Tacitus

significantly adds, "paucos intra dies finem accepit, quasi nescius exercendi." Ann., vi. 11.

<sup>3</sup> "Dulcia arva. . . . . Mea regna." Ecl. i. 3, 70.

<sup>4</sup> Æn., vi. 791 *et seq.*



and to whose fame there were no limits but the stars.<sup>1</sup> His friend and fellow-dependant, Horace, in whom there were untouched harmonies to have thrilled the world, fell down before the altar at which the weakest were on their knees, lamenting he had not voice enough to chant the majesty it enshrined.<sup>2</sup> Some manlier tones escaped him, in presence of his friends, with whom he felt at ease; but the breath he spared from celebrating his superiors was mostly spent in telling over the errors of his countrymen or in rehearsing his own revelries and failings. Ovid, more naturally independent, betrays still more the abasement in which the cord of liberty had been loosened. Endeavouring to open a new channel, as it were, to some currents that had never yet been allowed to flow in Roman song, he soon pursued the commoner course of flatteries towards the living, worthier in his eyes than the memories of the dead.<sup>3</sup> But the impurity of Ovid's poetry distorts its best features, and turns it into the autobiography of a man, and even into the history of a people, with whom luxury had passed through its earlier stages of contamination into insensibility.<sup>4</sup> It was the misfortune of the poet, in spite of his

<sup>1</sup> *Æn.*, i. 286 *et seq.*,

<sup>2</sup> "Sed neque parvum  
Carmen majestas recipit tua,  
nec meus audet  
Rem tentare pudor quam vires  
ferre recusent."

*Epist.* ii. 1 (*Ad Augustum*), 257  
*et seq.*

See *Carm.* i. 6.

<sup>3</sup> *Fast.*, i. 1—18.

<sup>4</sup> "Prisca juvent alios: ego me  
nunc denique natum  
Gratulor: hæc ætas moribus  
apta meis."

*Art. Am.*, iii. 121, 122.



adulation, to incur the displeasure of the Emperor, and to be banished from the scene of his debaucheries.

The great historian Livy was one of those befriended by Augustus, and provided, as is probable, with the means of indulging in the usual pleasures of his day. Dissatisfied, however, and restless, he conceived the project of writing the Annals, of which the end, as he at least perceived, had evidently arrived. "It will be a great comfort to me," he says, in the introduction to his glowing history, "a great comfort, if I can do my part in commemorating the achievements of this sovereign people of the earth. . . . . My own reward will be to turn away from the sight of those evils which our age hath beheld for so many years, in searching with all my mind after the events of ancient times. . . . . For my readers, I simply desire each one of them to observe very earnestly the lives and the customs that have passed,—the men, too, and the means by which, at home and abroad, this empire of ours hath been both founded and increased. Let each in mind pursue the decline of morals following the decay of laws,—then their gradual sinking,—then their headlong fall,—and finally their entombment in these times, wherein we can neither bear our vices nor their remedies."<sup>1</sup> The historian could not speak more plainly without danger; indeed, he could not have spoken even so plainly, unless it had appeared that he was designating the necessity of a strong and absolute dominion over the evils which

<sup>1</sup> Liv., Præfatio.



he thus bitterly lamented. The introduction explains the history, its carelessness, and its fervour. Composed in the twilight of the day to him illumined with renown, it exhibits to us the preparation for the Empire in the ensuing night-time.

It is hardly possible, even with these materials, to construct any accurate relation concerning the masses whom Augustus ruled. The condition of his subjects in the provinces was, perhaps, in some degree ameliorated by the superintendence he exerted over their governors. So the slaves, with whom the capital, as well as every part of the empire, was largely peopled, seem to have been protected by certain laws<sup>1</sup> that would never have been enacted but for the necessity, apparent to a single sovereign, of preventing the different classes beneath him from being wasted or incensed. It may be that the comparative infrequency of wars, especially amongst the civilised races then in existence, led to the somewhat humaner treatment of the more cultivated slaves, on account of the consequent rarity of the captures. As for the Roman populace, though it might be imagined that they had no power to imitate either luxury or pride, it is, on the other hand, to be remembered that there were no other commandments for them to follow than those they could derive from the examples or the cruelties of their superiors.

One scene amongst the many of this peculiar his-

<sup>1</sup> *E. g.* the Petronian. Digest., slave, Sen., *De Ira*, iii. 40. Cf. lib. XLVIII. tit. viii. 11, sect. 2. Suet., *Aug.*, 40.  
See the story of Augustus and the



tory, in which a single ruler and a troop of subjects form, as it were, but two personages in view, must be more particularly observed. A pestilence, so severe, that no one, says the historian, could labour in the fields, occurred one year, because, as the people at Rome believed, they had not invested Augustus with the consulship. To make amends for their neglect of his precious services, they determined to declare him Dictator. The customary decree was straightway demanded from the Senate by the mob, with threats, as if they had met with some rebuff, of burning the temple in which the Senate was convened. The decree was immediately passed; and the crowd, providing themselves with twenty-four fasces, hastened after the Emperor, whom they besought, as we are told, to suffer himself to be called Dictator.<sup>1</sup> He, however, whether averse to the nature of the office, or distrusting the temper of the populace, refused their proffered entreaties; and when urged anew, he fell upon his knees, threw back his toga from his breast, as if in grief, and prayed to be excused. At the same time, he took upon himself the charge of providing for the public markets; and then dismissed the people, in raptures, probably, that they had so generous and so modest an Emperor.<sup>2</sup>

The great object with Augustus, while laying the foundations of a new system amidst the ruins of the old, was to persuade his people that there were nei-

<sup>1</sup> Δικτάτωρα δεόμενοι λεχθῆναι.  
Dion Cass., LIV. 1. This was A. C.  
22.

<sup>2</sup> Ibid. Suet., Aug., 52.



ther ruins nor newly rising towers at all. He would have had them think that he and they were dwelling in their fathers' houses and under their fathers' laws ; and to a certain extent he succeeded. For after a crash so universal, when every citizen, if not every inhabitant, of Rome found himself, as it were, with a new floor beneath his feet and a new roof above his head, it might have seemed that the city was the same as it had been, unchanged itself in appearance, because its people were, in reality, so totally transformed.<sup>1</sup> In consequence of the forgetfulness of old traditions, as well as of old interests, the power obtained by Augustus was all the less difficult to preserve. The frequent mention of measures to induce the seeking of office, and the exercise of such authority as was still allowed,<sup>2</sup> is irresistible evidence against the existence or the exhibition of any political ambition.

The divisions previously traced recur in view of the policy which Augustus adopted from the beginning of his reign. The soldier and the scholar, the man of action and the man of luxury, could best be ruled in tranquillity. There should be no wars—none, at least, that were avoidable—to whet the swords of the legions ;<sup>3</sup> there should be no excitements to stir the

<sup>1</sup> Quand tout se remue également," says Pascal, "rien ne se remue en apparence : comme en un vaisseau. Quand tous vont vers le dérèglement, nul ne semble y aller." *Pensées*, edit. Faugère, tom. II. p. 192.

<sup>2</sup> See Dion Cass., LIII. 28, LIV. 30, 35, LV. 3, 24, &c. "Domi

res tranquillæ," wrote Tacitus, "eadem magistratum vocabula : juniores post Actiacam victoriam, etiam senes plerique inter bella civium nati : quotusquisque reliquus, qui rempublicam vidisset ?" *Ann.*, I. 3.

<sup>3</sup> Suet., Aug., 20, 21, 25.



rich and the gifted from their wastefulness, alike of genius and of fortune. Especially was this indolence commended to the armies. The legions which had won the victory for Augustus were now appropriated to maintain his dominion ; but as they were feared as much by him as by his other subjects, they were removed to distant stations, where they could be employed against the barbarians or else be enervated by inactivity ; while the veterans, dismissed from their standards, were at once rewarded and divided from one another by assignments of lands or places in colonies. Thrice was the temple of Janus closed ;<sup>1</sup> and when its gates were opened, it was for battles fought on distant fields, against the Ethiopians, who dared to enter Egypt, or against the Germans, who, under Maroboduus and Arminius, displayed too striking a love for freedom. The glories which the poets sang and the historians recorded were more rarely those of extended dominion than of returning peace ; and it is hard to say, even in the face of his selfishness and of his subjects' idleness and abasement, that the general tranquillity which Augustus projected<sup>2</sup> and secured<sup>3</sup> is not his worthy title to some renown.

In this unwonted quietude, the Forum and the Campus Martius became the morning and the evening promenades of the people, whose elections, assem-

<sup>1</sup> Suet., Aug., 22.

<sup>2</sup> He said, before being formally created Emperor, that it was better to establish than to increase. Plut., Apophth., tom. vi. p. 780.

<sup>3</sup> "Cunctos," says Tacitus (Ann.,

i. 2), "dulcedine otii pellexit."

And in his will he enjoined his successor to be content with the boundaries of the empire as he found them. Dion Cass., LIV. 9, LVI. 33.



blages, and warlike levies were all comparatively suspended.<sup>1</sup> The attention of the Emperor was the more unwearied to their amusement, their pride, and their opinions. He made a journey into Gaul to avoid a scandal he had aroused ;<sup>2</sup> he changed the bricks of the temples and public buildings to marble ;<sup>3</sup> and he took care that the citizens, as they were still called, should enjoy their full privileges of festival and licence amongst themselves.<sup>4</sup> But Augustus was never the corrupter of the subjects, nor, after his power was established, their oppressor ; for they were sunk lower than he required or approved. Many reforms in moral and social habits were attempted, to the advantage of all classes ;<sup>5</sup> the number of public paupers was reduced ;<sup>6</sup> the disorders of the streets and the highways were repressed ;<sup>7</sup> and the prosperity of the city seemed greater than in any previous time of its existence. But the temple of enlarged proportions and more splendid materials was emptier of worshippers or deities than the sanctuary of yore ; and the house from which the vices of long accumulation were ordered to be removed remained a sad, or, if there were not thought deep enough for sadness, a polluted home, such as the men of old would have refused to enter, for fear of shame.

<sup>1</sup> See a chapter entitled "Une Journée de Rome," in Dezobry's work, "Rome au Siècle d'Auguste," Lettre xxvii.

<sup>2</sup> Dion Cass., liv. 19.

<sup>3</sup> Suet., Aug., 29. Mon. Ancyræ, tab. i. (a dextra), tab. iii. (a læva).

<sup>4</sup> Ibid. Suet., Aug., 29, 30 *et seq.*, 41. Dion Cass., liv. 16, lv. 24, lvi. 1 *et seq.*, 10.

<sup>5</sup> See preceding note, and add the following sections in Suetonius.

<sup>6</sup> To 200,000 ! Dion Cass., lv. 10.

<sup>7</sup> Ibid., 8, 26. Suet., 32.



The empire at large underwent the same outward transition, in consequence of the peace commanded by the cautious Emperor. Sentences of exile, indeed, and arbitrary punishments, were pronounced upon various individuals,<sup>1</sup> within Rome and without, who carried their griefs, open or concealed, amongst their remoter fellow-subjects; but these were counted as exceptions. The union, it was said, and perhaps believed, for it has often since been repeated,—the union that a faction of proud and oppressive citizens would never permit in former times between themselves and the vanquished was accomplished at length by the rise of a benign and a watchful Emperor.<sup>2</sup> It may have been natural to declare this under Augustus; but it is unpardonable to reecho, in Christian days, the adulation bestowed upon the heathen Emperor. The evil spirit that prevailed beneath his sway was not, in truth, of his creation; nor could he whom it affected from youth to age lay it to rest. It spread everywhere: pardoning where it should have punished, and punishing where it should have pardoned; soiling itself with stains, and warring with vices noways worse; folding its wings, and binding those that would have essayed to fly beyond its range. The presage of every year or century over which we

<sup>1</sup> Dion Cass., LVI. 27. See the anecdote about Mæcenæ, LV. 7.

<sup>2</sup> The provinces, it is true, were sometimes better governed, sometimes more generously treated. See Dion Cass., LIII. 12, 15; Suet., Aug., 47. But on the other hand,

the more frequent instances are of their manifold sufferings. See Suet., Aug., 40, 42, 47; Dion Cass., LIV. 7, 21, LV. 33; and the particular case of Gyarus in Strabo, x. 5, 3. Add Tac., Ann., III. 2.



have passed becomes the destroying pestilence of the age at which we have arrived, when the conquering race must be ranked amongst the conquered nations of the heathen world. The dominion of Augustus, a man so feeble in himself, over subjects who were already prostrate was not the beginning of a new life, but the close of the old life that had ebbed away with the liberty of Rome.

The Emperor himself appears to have feared, from first to last, the resurrection of the ancient independence. He lived in continual parade of humility,<sup>1</sup> that could have deceived none who did not choose to be deceived ; nor from the time when he rejected the laws of the triumvirate,<sup>2</sup> as if he were glad to be released from them, down to the adoption of a successor whom he hated, did there seem to be a stone unturned which could serve, small though it were, for a monument to all succeeding generations of the weakness of the sovereign who looked so mighty. His consummate prudence, his patient self-control, and the affability he affected towards all classes but his soldiers, were the qualities he appeared to possess ; but when once the veil is fallen, he stands shivering with superstition<sup>3</sup> and corrupt with profligacy,<sup>4</sup> crying, one day, for a slaughtered army,<sup>5</sup> infuriated another, by the shame of his only child,<sup>6</sup> and governed always by his wife Livia more strictly than he could rule the world. Behold him in the Forum

<sup>1</sup> Suet., Aug., 72 *et seq.*

<sup>2</sup> Dion Cass., LIII. 2.

<sup>3</sup> Suet., Aug., 90 *et seq.*

<sup>4</sup> Ibid., 71.

<sup>5</sup> Ibid., 22.

<sup>6</sup> Dion Cass., LV. 10.



or the Senate ; and though he be composed and graceful, that anxious eye, those guarded words, betray him ill at ease. An actor, guilty of some disturbance, tells Augustus that it is well for the people to have other men to watch besides their Emperor ; and he is pardoned.<sup>1</sup> A frantic citizen runs through the streets screaming that he has sworn not to survive Augustus, and that others must swear the same ; and he is rewarded.<sup>2</sup> If the Emperor has to harangue the Senate or publish an edict, he will quote “whole books” upon his side, as if to convince the people, says his biographer, that his opinions had been held of old.<sup>3</sup> How wretched the subjects of such a sovereign ! but how much more wretched—and God be praised that such judgments of His are always visible—the sovereign of such subjects as were then called Romans !

Neither the family misfortunes that came upon Augustus the Emperor, as if in retribution of his early crimes and his subsequent hypocrisies, nor the public events, campaigns, and yearly intrigues of his reign, belong to the history of liberty, scarcely to that of servitude. He outlived the friends and the children to whom he would have most willingly surrendered his authority at the hour of death. His last words were to ask if he had played his part becomingly ;<sup>4</sup> as if the forty-four years of his dominion and

<sup>1</sup> Dion Cass., LIV. 17.

<sup>2</sup> Ibid., LIII. 20.

<sup>3</sup> Suet., Aug., 89.

<sup>4</sup> A. D. 14. Suet., Aug., 99.

“Animam cœlestem,” says Paternulus, quite out of his depth, “cœlo reddidit.” II. 123.



the seventy-seven of life were worthy of applause on account of the length to which they had been protracted beyond the terror and the humiliation they had wrought amongst his fellow-creatures. He was made a god by those who survived him; and his step-son, in whom there were none of his virtues, but only his vices magnified,<sup>1</sup> succeeded to his throne. The gradation in character from that of the first Cæsar to that of Augustus, the second, and then to this of Tiberius, the third, is the progress of the despotism which triumphed where liberty had been overthrown.<sup>2</sup>

<sup>1</sup> Dion Cassius, after describing Tiberius, mentions that some suspected Augustus of having chosen him to serve as a foil to his memory! LVI. 45. Cf. Tac., Ann., i. 10.

<sup>2</sup> "But," as Jeremy Taylor says

with sublime fervour, "whatsoever tempts the pride and vanity of ambitious men is not so big as the smallest star which we see scattered in disorder and unregarded upon the pavement and floor of heaven."—*Holy Dying*, ch. i. sec. 4.



## CHAPTER IV.

## THE CLOSE OF ANTIQUITY.

“Presso al tempo che tutto 'l Ciel volle  
Ridur lo mondo a suo modo sereno.”

DANTE, *Paradiso*, VI. 55, 56.

“Thus is our Era to be named of Hope.”—CARLYLE, *French Revolution*, book III. ch. 8.

THE view from which our steps are bearing us away is such as we may well be glad to leave. A few scattered palaces, wherein we would not willingly look again, rise amongst a mass of hovels, of which the doors are closed against us, upon a plain grim with devastation and sterility. The cheerful voice of the husbandman is changed to the outcry of the soldier or the wail of the slave; while the earth itself, as if saddened and speechless, denies a place to the waving corn, and bears, it seems, no tree or leaf to hear the murmurs of the wind. Above the plain, a mountain, diademed with clouds, and barren as the fields beneath, supports a single edifice, which, whether it be a residence or a fortress, is equally magnificent and dreary. Here dwells the master, and below him, on the plain, are the subjects of the Roman Empire.

The prospect to which we turn, at first, is not more gladsome. Without a people, and, a few rare



instances excepted, without a ruler that deserves the name, the Empire appears to sink deeper and deeper in the wickedness and feebleness it has inherited. Years pass, and centuries ; and as they one by one depart from Rome, her fortitude and hope are not only extinguished, but forgotten. The despotism of the Emperor is the judgement upon the Empire. The hollowness of the Empire, like "an empty urn," becomes fit for the "withered hands" of the Emperor by whom it is held. And the onslaught of the barbarians, at last, is the retribution to which the Emperor, the Empire, and the parent Commonwealth have been long foredoomed. The glimpses before or behind us, that we catch of Rome alone, are all alike mournful.

In every country and amongst every nation of the ancient world, a marvellous progress from barbarism to comparative civilisation, or from servitude to comparative freedom, had been allowed to precede the decline to each appointed in its turn. The extent of this advancement was generally commensurate with the degree of liberty existing amongst the various races engaged in its production ; and the greatest development of knowledge and of cultivation occurred in Greece, together with the greatest development of liberty. A different phase appears to be observable in Rome, under whose laws liberty attained to a greater stature than in any other heathen state, without producing a corresponding increase in the sciences, the arts, or the comforts of mankind. The same religion that had interposed itself like a cloud between the



freedom of other nations and the light from Heaven hung thinnest above the seven hills ; and yet nowhere was the liberty it always obscured so fatal to human works and to human hopes as amongst the proud and finally the lawless conquerors who were trained at Rome.

Here lies the moral of our history. In the great creation of which we form a part, the process of animation and increase is the result of mutual, though they be unconscious, services amongst its members. The plant subsists upon the breath of the animal, and the animal seeks from the plant those exhalations without which its own life would be intolerable. It is one of the thousand instances with which the world is filled to teach men how to conduct themselves and how to employ their principles ; and it may serve, at this moment, as an illustration of the truth,<sup>1</sup> that liberty is virtually servitude, unless it be so connected with human powers as to minister to them and be ministered unto by them in return. The institutions of ancient Rome secured to all the citizens whom they acknowledged the amplest freedom in that age possible ; yet freedom failed amongst them for want of higher powers in its possessors than those of conquerors and rulers ; while the institutions by which this liberty had been provided were bowed and broken by its courses of blood and despotism. The few, like the Gracchi and Cicero, whom it educated to greater aspirations were not allowed to spread the learning they acquired amongst men, much

<sup>1</sup> See vol. i. pp. 5—10.



less to exercise the benevolence they had received from their Creator.

The wants of the Romans are as evident as their errors. They not only lacked the powers, but the first necessities of humanity. To be free, they needed to be conscious of their weakness as individuals, and, mortally speaking, as a nation ; a consciousness which never came to the nation, and only to its individual members in the day of their utter downfall. Even had they been sooner humbled, a law of right and wrong would still have failed them ; though in order to be free, singly or collectively, they required liberation from the vice and fortification in the virtue of the world. This law, however, was never theirs ; it neither rose with their early institutions nor arrived with their later philosophy,<sup>1</sup> except in part ; and the part even which they did obtain was lost before the beginning of the Empire. Without this knowledge of right and wrong, there can be no true power ; and without power, again, there can be no real exercise of liberty. There is a holiness of freedom yet to be attained in doing "whatsoever things are true, whatsoever things are honest, whatsoever things are just, whatsoever things are pure, whatsoever things are lovely, whatsoever things are of good report ;"<sup>2</sup> and so doing them, that the glory

<sup>1</sup> "The freedom of man and liberty of acting according to his own will is grounded," as the great Locke says, "on his having reason, which is able to instruct him in that

law he is to govern himself by." Civil Government, sect. 63. But "that law" itself is no work of reason ; it must be revealed.

<sup>2</sup> Philippians, iv. 8.



of God, which religion commands, may be fulfilled by man through liberty.

So far as humility amongst men was necessary for the preparation of a truer freedom than could ever be known under heathenism, the part of Rome, however dreadful, was yet sublime. It was not to unite, to discipline, or to fortify humanity, but to enervate, to loosen, and to scatter its forces, that the people whose history we have read were allowed to conquer the earth and were then themselves reduced to deep submission. Every good labour of theirs that failed was, by reason of what we esteem its failure, a step gained nearer to the end of the wellnigh universal evil that prevailed ; while every bad achievement that may seem to us to have succeeded, temporarily or lastingly, with them was equally, by reason of its success, a progress towards the good of which the coming would have been longed and prayed for, could it have been comprehended. Alike in the virtues and in the vices of antiquity, we may read the progress towards its humiliation.<sup>1</sup> Yet, on the other hand, it must not seem, at the last, that the disposition of the Romans or of mankind to submission was secured solely through the errors and the apparently ineffectual toils which we have traced back to these times of old.

<sup>1</sup> "The Christian revelation," says Leland, in his truly admirable work on the subject (vol. i. p. 488), "was made to the world at a time when it was most wanted ; when the darkness and corruption of mankind were arrived at the height..... If it had been published much

sooner and before there had been a full trial made of what was to be expected from human wisdom and philosophy, the great need men stood in of such an extraordinary Divine dispensation would not have been so apparent.



Desires too true to have been wasted, and strivings too humane to have been unproductive, though all were overshadowed by passing wrongs, still gleam as if in anticipation or in preparation of the advancing day.

At length when it had been proved by ages of conflict and loss that no lasting joy and no abiding truth could be procured through the power, the freedom, or the faith of mankind, the angels sang their song in which the glory of God and the good-will of men were together blended. The universe was wrapped in momentary tranquillity, and "peaceful was the night,"<sup>1</sup> above the manger at Bethlehem. We may believe, that, when the morning came, the ignorance, the confusion, and the servitude of humanity had left their darkest forms amongst the midnight clouds. It was still, indeed, beyond the power of man to lay hold securely of the charity and the regeneration that were henceforth to be his law; and the indefinable terrors of the future, whether seen from the West or from the East, were not at once to be dispelled. But before the death of the Emperor Augustus, in the midst of his fallen subjects, the Business of THE FATHER had already been begun in the Temple at Jerusalem; and near by, THE SON was increasing in wisdom and in stature and in favour with God and man.

The sea, as it were, upon which wave has pursued

<sup>1</sup> The whole Hymn on the Morning of Christ's Nativity is the best conclusion I can suggest to this

history. Prudentius has some fine lines on the same theme. *Contra Symm.*, II. 597 *et seq.*



wave through day and night, through years and centuries, before our eyes, is thus illumined with the approaching light which we have been waiting to behold. And as we stand upon the shore, conscious of the Spirit that has moved upon the face of the waters, we may lift our eyes with more confiding faith to the over-watching Heaven.

THE END.

















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